

10. Appendices

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10.A. Appendix A: Summary of Citizen Participation Plan Process

Citizens were encouraged to participate in the development of the *Consolidated Plan for the District of Columbia FY 2003 Action Plan*. DHCD undertook specific outreach efforts to inform District residents, particularly low- and moderate-income residents, and interested community based organizations and development organizations about the programs included in the Consolidated Plan and to solicit their input in developing the Plan prior to its submission to

The Public is informed about the Consolidated Plan process through the *Program Development Guidelines*. The *Guidelines* provide information on the programs included in the Consolidated Plan, approximations of program funding levels, and proposed scheduling. Copies of the *Guidelines* are made available at least 2 weeks prior to the public hearing at all public libraries, all Advisory Neighborhood Commission offices, selected community based organization offices, and DHCD headquarters.

During the Plan's annual preparation cycle two types of public hearings are held: needs assessment hearings and proposed budget hearings. A needs assessment public hearing was held at 6:30 p.m., on November 15, 2001, at the Department of Housing and Community Development, 801 North Capitol Street, NE, Washington, DC 20002, and was attended by approximately fifty-five residents. Testimony was presented by twenty-eight persons.

The budget hearing is scheduled for Monday, March 11, 2002 and will be held at the DHCD offices at 801 North Capitol Street, NE, 9th Floor Board Room, Washington, D.C. 20002.

Broad-based participation at the hearing will be facilitated through the provision of sign language and Spanish language interpreters. Diverse attendance is being promoted through advertising hearing notices in various media sources, including the *Washington Post*, the *Afro-American*, *El Tiempo*, *The Blade*, and the *D.C. Register*. In addition, roughly 1,000 hearing notices will be mailed to Advisory Neighborhood Commissioners, civic association officers, and officials of community based organizations, churches, and other interested parties. Meeting notices were published and distributed at least 2 weeks prior to the public hearings.

Senior DHCD staff were present at the public hearings to take the direct testimony of witnesses on housing and community development needs in the city as well as on program performance in the current and prior years. Court reporters were provided and a written transcript was produced.

Subsequently, taking into consideration analytical data and testimony presented by citizens, senior staff, through a series of meetings, proposed a consolidated program budget for the upcoming fiscal year. The proposed Action Plan and budget are revised and submitted by the Mayor to the City Council for approval. After review and approval by the City Council, the final proposed Action Plan and budget for FY 2003 is submitted to HUD by August 15, 2002.

Chronology of Events

EVENT	DATE
Public Hearing on "Housing and Community Development Needs in the District of Columbia"	November 15, 2001
Publication of draft <i>proposed</i> "Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan	February 15, 2002
Public Hearing on Proposed Consolidated Plan	March 11, 2002
Mayor's Submission of Proposed Consolidated Plan to the City Council	March 21, 2002
Council Committee "Public Hearing on <i>Proposed</i> Consolidated Plan for FY 2003	May 2002
City Council "Approval Resolution" adopted	June 2002
Submission of Consolidated Plan for the District of Columbia, Fiscal Year 2003 Application to HUD	August 2002
Fiscal Year 2003 Grant Funds Available	October 2002

Summary of Citizens' Public Hearing Comments

**AHousing and Community Development Needs in the District of Columbia@
Department of Housing and Community Development
801 North Capitol Street, N.E.
Washington, D.C. 20002**

**Thursday, November 15, 2001
6:30 P.M.**

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

**SUMMARY OF
"HOUSING AND COMMUNITY DEVELOPMENT
NEEDS HEARING
FOR THE DISTRICT OF COLUMBIA"**

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On November 15, 2001, the Department of Housing and Community Development (DHCD) conducted a "Housing and Community Development Needs Hearing for the District of Columbia" to solicit input from the community, on DHCD's performance for Fiscal Year (FY) 2001 and recommendations on funding for FY2003. The hearing was held at DHCD's offices located at 801 North Capitol Street, N. E., Washington, D. C.

More than twenty-five witnesses presented testimony on the Department's performance and the areas they felt needed improvement. Concerns were also raised regarding the Mayor's housing legislation and many fear that the definition of "affordability" will leave low- to moderate-income residents on the short end of the scale.

The most serious concerns centered on the length of time it takes to receive funding approval, and the availability of affordable housing and special needs housing for persons with HIV/AIDS, the mentally ill, physically challenged, recovering substance abusers and those in imminent danger of homelessness. Hundreds of Section 8 certificates will be expiring and a number of landlords are opting not to renew. In the current rental market, landlords are commanding, and receiving substantial increases in comparison to the original lease amount. Several nonprofit organizations have had to either purchase the facilities they were leasing or relocate because the landlord sold the property or they couldn't afford the increased rent. As more and more middle-class and affluent persons move in or return to the District, the city's tax base increases helps provide funding for basic city services, but at the same time, low- and moderate-income residents, many of whom are third and fourth generation Washingtonians, are being priced out.

There is also frustration and some anger regarding the lack of interest that the city has displayed to small and/or minority-owned businesses. Several witnesses noted that the city offers large incentives to attract or retain large organizations to the District, but offers no real assistance to long-established small businesses. Several small business owners, especially east of the Anacostia River, have closed and feel that if the city had granted low-interest loans to them, they would have survived.

The Community Partnership for the Prevention of Homelessness, which administers all public shelters and provides hypothermia outreach for the District of Columbia, would like more interactions with DHCD to better coordinate their common goals.

The D. C. Primary Care Association would like to partner with the District to bring primary care facilities to neighborhoods, which in turn would create jobs and help to revitalize communities.

The Sustainable Community Initiatives requested funding to promote de-construction as a job creation industry. De-construction is an alternative to standard demolition and recycles housing materials for sale.

Bread for the City requested funding to complete a new facility in Southeast Washington, D. C., which would replicate its Northwest facility to provide health care, social services, legal services, and food and clothing to residents east of the Anacostia River. Unity Healthcare will partnership with Bread for the City to run the public clinics in the District. The organization will also be expanding its Northwest facility and the use of block grant funds would greatly enhance their ability to provide increased services at that facility.

La Clinica Del Pueblo, located in the Adams Morgan/Mt. Pleasant section of the city provides free medical services to all area residents, but specifically to the ever-growing Latino community. They are requesting funds to assist in relocating to a new facility to better serve their growing clientele.

The National African American Museum and Cultural Complex applied for funding in January 1999. Almost two years later, the organization cannot move forward with its feasibility study of an African American Museum at Poplar Point, with a conference center, and cultural complex because DHCD has failed to provide the funding that they approved.

University Legal Services spoke to the number of programs administered by DHCD that work to identify and preserve available housing stock in the District. ULS's representative noted the number renters who went on to become homeowners through DHCD's Tenant Purchase Assistance and Tenant Purchase Technical Assistance programs, or, through the legal assistance of ULS, was able to negotiate settlements for tenants who wanted to move rather than purchase their unit. Several successful examples were cited.

The Coalition for Nonprofit Housing and Economic Development presented concise testimony on affordable housing and community development. Its executive director capsulized that DHCD's major focus should be on affordable housing and economic viability for small businesses. There is a need to devote additional resources to assist tenants of buildings who have been offered the first right of purchase and there is also a need to provide education, legal and technical assistance to residents of expiring Section 8 properties, regardless of whether the property is sold.

Residents in these buildings are uncertain of their rights and may be easily pressured to move out, unaware that they have the absolute right to remain. The Coalition is also concerned that the process used to determine the community development needs and how to allocate resources has not always worked well. The Coalition thinks DHCD should be in the business of creating jobs by funding development and assisting small businesses, not taking on tasks that other D.C. agencies are charged with providing.

Listed below is a sampling of the recommendations made during the hearing.

1. The Department's process for funding approval needs to be uniform and streamlined.
2. The Department should host an ongoing citywide "Think Tank," with specific focus on special needs.

3. DHCD needs to coordinate the identification of special needs housing stock citywide, and establish a quantifiable strategy for increasing the future numbers of special needs housing units.
4. DHCD needs to collaborate with community development corporations and community-based organizations that work with low-income residents and immigrants, and the small business owners in planning strong, vital neighborhoods.
5. Under DHCD's new protocol for selecting CDCs, the Department should more closely monitor these organizations they fund and create mechanisms or performance measures to hold them accountable once funds are received. In addition, some type of "*early warning system*" should be developed to identify if a CDC is heading into trouble or is struggling, etc. Also, DHCD choose the organization with care. Look at their past performance and fiscal responsibility, whether their boards include members with expertise in the areas of accounting, finance, banking and/or economic development. This type of experience would be extremely helpful on the board.

The above only serves to summarize highlights of the testimony presented. The presenters touched on all the components of housing and community development needs, however, the major points, aside from specific projects or programs, focused on affordable housing, special needs housing, and small business development, along with neighborhood primary health care facilities.

## **Summary of Citizens' Public Hearing Comments**

**FY 2003 Consolidated Action Plan  
Department of Housing and Community Development  
801 North Capitol Street, N.E.  
Washington, D.C. 20002**

**Monday, March 11, 2002  
6:30 P.M.**

### **GOVERNMENT OF THE DISTRICT OF COLUMBIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**

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On March 11, 2002, the Department of Housing and Community Development (DHCD) conducted a public hearing to solicit comments from the community on DHCD's draft "FY 2002 Consolidated Action Plan". The hearing was held at DHCD's offices located at 801 North Capitol Street, N. E., Washington, D. C.

Fifteen witnesses presented testimony on the Department's draft and the areas they felt needed more attention.

Representatives from Capital Area ADAPT, the Green Door, the Legal Clinic for the Homeless, and the D.C. Department of Health, HIV/AIDS Administration focused on different aspects of special needs housing.

- The Chair of ADAPT recommended that DHCD use CDBG funds to make ownership and rental units wheelchair accessible, and that DHCD improve its monitoring of grantees' compliance with Section 504 and other fair housing laws. ADAPT also recommended that DHCD expand the Single Family Residential Rehabilitation Program to make rental units eligible for its handicapped accessibility improvement funding.
- Representatives of the Green Door and the Legal Clinic for the Homeless (LCH) both requested a greater focus on the creation of housing affordable to very low-income and no-income households, including those persons who are homeless or who are substance-addicted, HIV-positive, or with mental illness. They recommended we use CDBG and HOME in addition to Emergency Shelter Grant funds. LCH also noted that shelter sites are being purchased and redeveloped, and that there is a need for more shelter space.

MANNA recommended that DHCD produce more housing through the HODIF program and not devote so much funding to the Special Grants Program when there is such a need for housing.

Two witnesses from the Shaw and LeDroit Park areas (Shaw Education in Action and Shaw CDC) recommended that DHCD improve its communications and advertising of available programs. The ANC 5C02 Commissioner raised a similar point, that more effort was needed for outreach. She also recommended that DHCD streamline the Single Family Residential Rehabilitation Program, and she emphasized that it is a helpful alternative to private predatory lenders. The Coalition for Nonprofit Housing and Economic Development recommended more training for tenants on their rights, particularly in expiring Section 8 buildings, and that DHCD provide more funding for the

Tenant Technical Assistance Program.

The Director of the New Community Organization Community Initiative (NCOCI) recommended that DHCD rely on CHDOs more for housing development, and offered specific suggestions on implementing the recreation aspects of the Ivy City Neighborhood Revitalization Strategy Area plan.

There were comments on specific features of the Plan. The Coalition for Nonprofit Housing and Economic Development requested that DHCD clarify the budgets to provide the total amounts available, not just the federal amounts, so that citizens could understand how much funding was going to the program. NCOCI asked DHCD to restore the Fair Housing Council report on impediments to fair housing that had been removed from the latest draft. These requests will be met in the final draft of the Plan.

Other citizens offered comments on their particular projects and requests for information or funding.

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**10.B. Appendix B: Council of the District of Columbia
Approval Resolution**

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A RESOLUTION

14-487

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 18, 2002

To approve the Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, which incorporates 4 grant program applications into a single submission for funding from the U.S. Department of Housing and Urban Development.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, Approval Resolution of 2002".

Sec. 2. The Council Finds that:

(1) The primary objective of the Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, is the development of a viable urban community by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate- income.

(2) The District of Columbia government is required to submit an annual Action Plan for the District of Columbia ("District") to the U.S. Department of Housing and Urban Development ("HUD") under Title I of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 633; 42 U.S.C. § 5301 *et seq.*).

(3) The Action Plan is the successor to the Community Development Program pursuant to regulations issued by HUD under 24 CFR Part 91, Consolidated Submissions for Community Planning and Development Programs, on January 5, 1995.

(4) Under section 3 of the Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1002), the Council is required to adopt a resolution approving the proposed Action Plan, as the program is defined in Title I of the Housing and Community Development Act of 1974, approved August 22, 1974 (88 Stat. 633; 42 U.S.C. § 5301 *et seq.*).

(5) The Mayor has received the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, identifying resources and program activities to address the District's housing and community development needs.

(6) The Mayor has submitted to the Council for approval a proposed Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, identifying

ENROLLED ORIGINAL

resources and program activities, and requests Council approval before the August 2002 submission to HUD.

(7) The Council has reviewed the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan.

Sec. 3. Pursuant to section 3(c) of the Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1002), the Council approves the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, and related program funding for the Community Development Block Grant program, the HOME Investment Partnerships Program, the Housing Opportunities for Persons with AIDS program, and the Emergency Shelter Grant program; provided, that the Department of Housing and Community Development submits to the Council for review, at least 72 hours before its submittal to HUD, the proposed Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan.

Sec. 4. The Secretary to the Council shall transmit a copy of this resolution, upon its adoption, to the Mayor.

Sec. 5. Fiscal impact statement.

The Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, reflects the strategy of the Department of Housing and Community Development, which is consistent with established goals for activities and programs required to meet the continued eligibility requirements for federal funding. There is no fiscal impact to the District because the spending elements of the Consolidated Plan for the District of Columbia, Fiscal Year 2003 Action Plan, are materially the same as the Department's Fiscal Year 2003 budget submission.

Sec. 6. This resolution shall take effect immediately.



COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20001

Council Period Fourteen

RECORD OF OFFICIAL COUNCIL VOTE

Docket No. PR14-696 Resolution No. R14-487

Action & Date ADOPTED, 06-18-02

☒ Item on Consent Calendar

☐ ROLL CALL VOTE -Result _____ ()

Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB	Councilmember	Aye	Nay	NV	AB
Chmn. Cropp	X				Chavous	X				Orange	X			
Allen	X				Evans	X				Patterson	X			
Ambrose	X				Fenty	X				Schwartz	X			
Brazil	X				Graham	X								
Catania	X				Mendelson	X								
X - Indicate Vote					AB - Absent					NV - Present, Not Voting				

☒ VOICE VOTE Result APPROVED
Absent ALL PRESENT
Recorded Vote (On Request) _____

CERTIFICATE OF RECORD

[Signature]
Secretary to the Council

June 24, 2002
Date

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10.C. Appendix C: Remainder of the Formula Application for the Housing Opportunities for Persons with AIDS Grant – Suburban Maryland, Virginia, West Virginia

1. Suburban Maryland -Jurisdiction Summary

Prince George's County serves as the project sponsor in Suburban Maryland with oversight responsibilities for Calvert, Charles, Frederick, Montgomery and Prince George's Counties. In 1999, Suburban Maryland jurisdictions participated in a comprehensive statewide HIV/AIDS housing needs assessment conducted by AIDS Housing of Washington (State) and Wurzbacher and Associates, Inc. The survey identified the housing needs and preferences of persons living with HIV/AIDS, and sought to integrate them, to the extent possible, into the Maryland housing continuum. The sampling contained sufficient data elements to draw conclusions about the gaps in service and best use of future funds. Thirty five percent of the population canvassed in Suburban Maryland responded to the survey.

The two primary topics of concern to participants in Suburban Maryland are the need for affordable and livable housing and the enhancement and expansion of rental assistance programs. Other issues listed by respondents included the need for expanded transitional housing programs, additional housing related emergency assistance, more homeless shelters, reduction in the size of caseloads, enhancement of the case management approach to include services to persons with multiple issues and minority populations, more programs to address credit problems, promotion and development of "shared housing" arrangements among persons living with HIV/AIDS and increased single room occupancy facilities. Other service needs include housing information, referral and placement; and programs to assist and support persons in "setting-up" house, like furniture, appliances, linens, etc.

Another tool used to assess the needs of Suburban Maryland residents is the Homeless Continuum of Care application submitted annually by each jurisdiction for federal funding. This document contains an inventory of all housing units available to HIV positive individuals as well as information on the number of units necessary to meet unmet needs.

It is projected that the need for services will continue to increase as the life span of persons living with HIV/AIDS continues to extend. Housing providers have changed the priority from helping people at the end of their lives to assisting them transition to living with a chronic illness. Many Suburban Maryland persons with HIV/AIDS are living in family units. Every effort must be made to stabilize currently adequate living conditions to prevent homelessness and premature placement of dependent children into foster care.

2. Methodology for Selecting Project Sponsors

The project sponsor in each of the Suburban Maryland jurisdictions was selected through a competitive bidding process. Monitoring for the Suburban Maryland program is conducted on two levels. The Prince George's County Department of Housing and Community Development performs financial and programmatic monitoring. Financial monitoring consists of reviewing requests for reimbursement from participating agencies. Programmatic monitoring involves data collection to review the progress of agencies toward meeting HOPWA annual objectives and to review the numbers and characteristics of beneficiaries served. Monitoring also involves maintaining complete and accurate files on each jurisdictional program. DHCD provides on-going informal monitoring and technical assistance to the staff of each HOPWA program to prevent the development of problems.

3. Housing Market Analysis

The Suburban Maryland jurisdictions administer tenant-based rental assistance programs. All rental units in Suburban Maryland are available to individuals with HIV/AIDS as long as the rents are reasonable as defined by the U.S. Department of Housing and Urban Development Fair Market Rents (FMR) and as required by Federal HOPWA regulations. The most common type of housing units available for rent in Suburban Maryland are apartments in small and large apartment buildings and complexes, single family homes and town-homes.

Because of the program's high degree of confidentiality, barriers and obstacles facing persons with AIDS are generally not due to AIDS but to other social issues. A common factor is discrimination based on race, family size and the number of children in the household.

The primary obstacle facing HOPWA participants in Suburban Maryland is the scarcity of affordable housing. The supply of affordable rental units is very limited. A decline in vacancy rates and increase in average rents create an affordability barrier for residents. Individuals who do not receive rent subsidy have difficulty finding appropriate places to live. Apartments in the Suburban Maryland region are too expensive for many low-income residents, especially renters. A person earning the minimum wage would have to work 122 hours per week in order to afford a two-bedroom at the Fair Market Rent. A person working a 40- hour week must earn at least \$15.77. In 1999, 35 percent of renters could not afford the FMR for a two-bedroom apartment. Renters in this region often incur housing cost burdens.

Percent of Suburban Maryland Residents Living in Poverty

Location	Percent in Poverty
Calvert County	6%
Charles County	7%
Frederick County	6%
Montgomery County	5%
Prince George's	8%

Source: U.S. Census Bureau, February 1999.

Suburban Maryland HIV/AIDS Dedicated Housing Inventory (2000)

Jurisdiction	HOPWA Subsidy	Project Home	Other	Total Units
Calvert County	1	1	0	2
Charles County	6	0	0	6
Frederick County	4	0	0	4
Montgomery County	74	4	0	78
Prince George's County	160	7	0	167

Source: Maryland HIV/AIDS Housing Plan (9/2000)

Inventory of HOPWA Assisted Housing Units by Bedroom Size in Suburban Maryland (2001)

County	SRO	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR
Calvert			2	2			

Charles			7	2	1		
Frederick			5	2			
Montgomery		2	42	19	5		
Prince George's			83	34	22	2	
Total		2	115	52	24	1	

Source: Suburban Maryland HOPWA Annual Progress Report (2001)

Housing Affordability Gaps for Low-Income Residents of Suburban Maryland (2001)

County	Monthly Income for Individual Earning 0 – 30% of MFI	Affordable Monthly Payment (30% of Income)	FMR for 2 BR Unit	Housing Affordability Gap
Calvert	\$2,140 or less	Up to \$642	\$943	\$301
Charles	\$2,140 or less	Up to \$642	\$943	\$301
Frederick	\$2,140 or less	Up to \$642	\$943	\$301
Montgomery	\$2,140 or less	Up to \$642	\$943	\$301
Prince George's	\$2,140 or less	Up to \$642	\$943	\$301

Sources: www.huduser.org. Income Limits effective April 6, 2001. MFI is median family income; BR is bedroom.

Fair Market Rents by Bedroom Size for Suburban Maryland Counties

Location	0 BR (Studio)	1 BR	2 BR
Calvert	\$707	\$804	\$943
Charles	\$707	\$804	\$943
Frederick	\$707	\$804	\$943
Montgomery	\$707	\$804	\$943
Prince George's	\$707	\$804	\$943

Source: www.huduser.org

Projection of Potential HIV/AIDS Housing Needs in Suburban Maryland

Number of People Living with AIDS (6/30/00)	Current Data	Projected Need	Fair Market Rent 2 BR Unit	Projected Annual Funding Cost
If 10% need housing		264	\$943	\$248,952
If 20% need housing		528	\$943	\$497,904
If 50% need housing		1,320	\$943	\$1,244,760
Est. Number of HIV+ Individuals, 6/30/01	2242			
If 10% need housing		224	\$943	\$211,232
If 20% need housing		448	\$943	\$422,464
If 50% need housing		1,121	\$943	\$1,057,103

Source: State of Maryland, Dept. of Health and Mental Hygiene, AIDS Administration

4. Suburban Maryland – FY 2003 Action Plan Table

HOPWA Eligible Activity	General Location of Service Provision	Estimated Number of People to be Served	Costs
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1. Housing Information Services 24 CFR 574.300.b.1			
2. Resource Identification 24 CFR 574.300.b.2			
3. Acquisition, Rehabilitation, Conversion, Lease, and Repair of Facilities 24 CFR 574.300.b.3			
4. New Construction 24 CFR 574.300.b.4			
5. Project-based Rental Assistance 24 CFR 574.300.b.5			
6. Tenant-based Rental Assistance 24 CFR 574.300.b.5	Region-wide	211	\$1,797,315
7. Short-term rent, Mortgage, and Utility Payments 24 CFR 574.300.b.6	Region-wide	202	\$149,216
8. Supportive Services 24 CFR 574.300.b.7			
9. Operating Costs 24 CFR 574.300.b.8			
10. Technical Assistance 24 CFR 574.300.b.9			
10a. Administrative Expenses – 7% cap 24 CFR 574.300.b.10			\$151,396
TOTAL		413	\$2,097,927

Suburban Maryland – is composed of Montgomery, Prince George’s, Frederick, Charles and Calvert Counties.

4.A. Justification for Funding Allocations

The HOPWA program provides tenant-based rental assistance to persons with HIV/AIDS and their families. Rental assistance permits freedom of choice, allowing participants to live near their source of employment, medical care and transportation.

Citizen participation and consultation established the priorities for the HOPWA program in Suburban Maryland. The priorities for the Suburban Maryland jurisdiction are the prevention of homelessness, the elimination of homelessness, self-sufficiency, and maximum housing choice for program participants. The funding allocations for the five counties are based on the incidence of HIV/AIDS cases as determined by the AIDS Administration, Maryland Department of Health and Mental Hygiene.

The following table describes the unmet need for assistance among persons with HIV/AIDS. The table also provides justification for the funding allocations for each of the five jurisdictions.

Prevalence of Persons Living with HIV/AIDS, as Reported through 6/30/2001

Jurisdiction	HIV	AIDS	Total	Percent
Calvert County	26	27	53	1.26
Charles County	67	63	130	3.08

Frederick County	65	66	131	3.10
Montgomery County	533	749	1,282	30.34
Prince George's County	1,200	1,429	2,629	62.22

**Source: State of Maryland, Dept. of Health and Mental Hygiene,
AIDS Administration (6/2001)**

4.B. Community Participation and Consultation

The planning process for the FY/2002 HOPWA application involved citizen participation and consultation with public and private agencies that provide assisted housing and health services to persons with HIV/AIDS within the Suburban Maryland jurisdictions. Each jurisdiction adhered to the citizen participation plan established by their *Consolidated Plan*. The *Consolidated Plan* process consists of several public hearings at which the community has an opportunity to comment on proposed allocations. The *Consolidated Plan* public hearings include all of the HUD Community Planning and Development programs, i.e., CDBG, HOME, ESG and HOPWA. One public hearing on the *Consolidated Plan* was held this year. During this meeting, persons living with HIV/AIDS, concerned citizens, units of local government, public agencies and other interested parties had reasonable opportunity to comment on the HOPWA program and the needs of the affected population.

Community based organizations like the Family Services Foundation and the local office of Volunteers of America received information on the HOPWA program goals and achievements. Through the distribution of the Suburban Maryland HOPWA "Program Summary," community organizations were invited to consult on current and future program operations.

The HOPWA program is promoted through each local Continuum of Care network, which serves homeless people. The Housing Authority of each jurisdiction refers clients who already receive rental subsidy but may need services from their HOPWA operating agency. Local agencies administering the Temporary Assistance for Needy Families (TANF) and the local child welfare agencies responsible for the care of minors facing out-of-home placements also provide referrals to HOPWA agencies.

Whitman-Walker Clinic provides educational outreach to the Suburban Maryland area. Area churches in the jurisdictions distribute grocery packets to HIV positive persons. These packets include easy to prepare foods, basic toiletries, healthy snacks and baby food for those who can no longer digest solids.

Suburban Maryland jurisdictions meet occasionally with each other and with the larger membership of the Washington, D.C. Eligible Metropolitan Statistical Area. These meetings provide an opportunity to review case achievements; share information on financial resources, medical research and education; and offer support to program providers.

4.C. Major Goals Towards Implementing Action Plan

Major goals and activities toward accomplishing the Suburban Maryland Action Plan are to:

- Provide tenant-based rental assistance for about 200 persons living with HIV/AIDS.
- Provide housing related emergency assistance to about 200 persons living with HIV/AIDS.
- Work with local health departments to obtain services through Ryan White and other funds.
- Enhance the capacity of service providers to link with other agencies and strengthen the effectiveness of their programs.

- Monitor activities to ensure efficient program operation and administration, coordination with other agencies and timely expenditure of HOPWA funds.

5. Alignment of Jurisdictional Priorities with EMSA Priorities

The HOPWA Program in Suburban Maryland plays a vital role in assisting Maryland's who are challenged by HIV/AIDS. While expanding housing resources for this population, the Counties also provide clients access to health-care and other services offered through the Ryan White Care Act and other programs. Suburban Maryland jurisdictions operate HOPWA programs in collaboration with the nonprofit organizations that help clients meet the daily needs for housing, mental health, substance abuse and other supportive services. Each HOPWA agency assists participants in moving toward self-sufficiency by providing referrals to job training and rehabilitation programs. All of the HOPWA agencies in Suburban Maryland participate in their County's *Continuum of Care* Plan. The priorities and allocations of the Suburban Maryland region correlate with those of the Washington, D.C. Eligible Metropolitan Statistical Area.

6. Institutional Structure

The Health Department in each Suburban Maryland jurisdiction promotes the prevention of HIV/AIDS through strategies like: increasing awareness and providing effective instruction about HIV/AIDS and other sexually transmitted diseases; encouraging the use of condoms and the reduction of sexual activity among adolescents; decreasing the sharing of needles among intravenous drug abusers and expanding substance abuse treatment programs.

A network of government and private, nonprofit agencies in Suburban Maryland provide services to individuals with HIV/AIDS. Each HOPWA agency collaborates with these entities creating a continuum of care for clients. The Ryan White Care Act, Titles I and II, provides services to residents. All Ryan White services are available to persons served by HOPWA funds. These services allow clients to live independently in their own homes. Service providers offer family and individual counseling, transportation assistance, food donations and housekeeping support to eligible clients. A growing number of nursing homes are increasingly providing skilled care for persons living with HIV/AIDS. Hospice and home-based hospice care are other essential links in the institutional system. The remaining gaps in service will be addressed by continuing to link with community-based organizations and by seeking additional funding through federal, state and local resources.

7. Coordination

Each of the Suburban Maryland jurisdictions enhances continuity of care and collaboration among service providers and government agencies by working with housing agencies, nonprofit service agencies and the Health Department in each County. Coordination of administration is enhanced by regular communication among project sponsors.

8. Resource Identification and Leveraging with non-HOPWA Funds

The Federal Supportive Housing Program (SHP) funds twenty-four months of transitional housing assistance for homeless persons and families leaving emergency shelters. If a person is identified as HIV positive while in emergency shelter or transitional housing, a referral is made to the local HOPWA agency.

A myriad of services is provided by community-based organizations, including those publicly funded through Titles I and II of the Ryan White Care Act. These services allow clients to live independently in their homes of choice with case management.

Supportive services available to low income HIV positive persons in Suburban Maryland include prevention education, case management, language interpretation, legal counseling, transportation, primary outpatient medical services, medication assistance, entitlement counseling, rental assistance, emergency housing-related financial assistance, mental health counseling and support groups and volunteer coordination.

The following HIV/AIDS specific, Ryan White Care Act, Title I and Title II resources for Supportive Services are identified:

Jurisdiction	Title I	Title II
Calvert County		**\$45,921
Charles County		**\$27,553
Frederick County		\$65,526
Montgomery County		\$470,725
Prince George's County		\$921,071
Total	*\$4,027,390	\$1,530,796

Note: Figures are based on information provided in Program Year 10 application this information was not available for the current application. We expect the funding levels to be the same.

* Suburban Maryland jurisdictions receive Ryan White Care Act Title I funds in one allocation.

** Tri-County Area: Calvert, Charles and St. Mary's Counties receive \$91,842 in Ryan White Care Act, Title II funds. Calvert receives 50% and Charles receives 30% of the allocation.

Suburban Virginia

1. Jurisdiction Summary

The Suburban Virginia portion of the EMSA serves 16 counties and cities in rural and urban areas, and comprises two distinct service areas for HOPWA planning purposes. The Northern Virginia Regional Commission (NVRC) is the Project Sponsor on behalf of Suburban Virginia and sub-grants HOPWA funds to local county housing departments and non-profits organizations throughout the Northern Virginia region on behalf of the District of Columbia grantee.

The geographic area of Suburban Virginia includes in the inner semi-circle of Arlington County and the cities of Alexandria and Falls Church. The suburban portion of inner semi-circle includes Fairfax, Loudoun, and Prince William counties, and the cities of Manassas, Manassas Park, and Fairfax. This portion of the service area is commonly referred to as *Northern Virginia*.

The Northern Virginia area is characterized by highly skilled college-educated workers, large numbers of executive jobs, high-income households, and a high percentage of working women. The counties and the City of Alexandria in Northern Virginia are HUD Entitlements Jurisdictions, engaging each year in their own Consolidated Planning processes. Loudoun County, however, is not an Entitlements Jurisdiction, but has initiated its own Modified Consolidated Planning Process. Local governments in

Northern Virginia contribute substantial tax revenues to supplement the variety of housing and support services funded by state and federal sources.

Northern Virginia is also characterized by brisk home sales, a very low apartment vacancy rate, higher rental and acquisition costs, and doubled-up households. According to the 1990 Census, four (4) Northern Virginia jurisdictions ranked among the 30 highest cost areas in the country in median housing value. The 1990 Census also found that about 38% of Northern Virginia renters and 26% of Northern Virginia homeowners spent more than 30% of annual income on housing costs. When the 2000 census data is released, it likely will reflect the impact of new technology companies headquartered in Northern Virginia that are believed to be placing increasing pressure on housing cost and availability.

The rural service delivery area, the outer semi-circle of jurisdictions furthest from Washington, DC, is referred to as *Northwest Virginia*. It includes the City of Fredericksburg, and Clarke, Fauquier, King George, Spotsylvania, Stafford, and Warren counties. About one (1) in four (4) Northwest residents graduated from college. Nearly 20% of residents earn incomes below 200% of poverty. Slightly less than one-third of Northwest residents work in professional, managerial or technical jobs. Per capita income in this area is about 65% that of Northern Virginia. The City of Fredericksburg is an Entitlements Jurisdiction that produces its own Consolidated Plan; all other areas fall under the Consolidated Planning process for the Commonwealth of Virginia. Much less local funding is made available in Northwest to supplement state and Federal service dollars. Public infrastructure in the form of local housing offices also is less well developed.

During 2000, NVRC as the Project Sponsor in Suburban Virginia commissioned an HIV/AIDS needs assessment from AIDS Housing of Washington. The Needs Assessment process included a survey of the housing circumstances, needs, and preferences of persons living with HIV/AIDS, and established a framework in which to integrate those needs into the HOPWA program.

Nearly 2,000 persons are currently living with AIDS in Suburban Virginia. The following table indicates the distribution of that population across the counties and cities in Suburban Virginia:

**People Living with AIDS by Jurisdiction
(as of September 30, 2001)**

Jurisdiction	Livings with AIDS Cases	
	Number	Percent
Alexandria	426	21.3%
Arlington	472	23.6%
Clarke	5	0.3%
Culpeper	28	1.4%
Fairfax	33	1.7%
Fairfax County	618	30.9%
Falls Church	22	1.1%
Fauquier	13	0.7%
Fredericksburg	33	1.7%
King George	7	0.4%
Loudoun	39	2.0%

Jurisdiction	Livings with AIDS Cases	
	Number	Percent
Manassas	46	2.3%
Manassas Park	4	0.2%
Prince William	181	9.1%
Spotsylvania	21	1.1%
Stafford	33	1.7%
Warren	16	0.8%
Total	1,997	100.0%

The recent population growth in the Northern Virginia region has created housing pressures overall, and may be a factor in conversions of affordable units to higher-cost units. The population growth by jurisdiction is shown in the following table:

**Population Growth of the Suburban Virginia Planning Area and Virginia,
by Jurisdiction, 1990 to 2000**

Jurisdiction	1990	2000	Percent Change
Alexandria	111,183	128,283	10.9%
Arlington County	170,895	189,453	15.4%
Clarke County	12,101	12,652	4.6%
Culpeper	27,791	34,262	23.3%
Fairfax	19,945	21,498	7.8%
Fairfax County	818,310	969,749	18.5%
Falls Church	9,464	10,377	9.6%
Fauquier County	48,700	55,139	13.2%
Fredericksburg	19,033	19,279	1.3%
King George County	13,527	16,803	24.2%
Loudoun County	86,185	169,599	96.8%
Manassas	27,757	35,135	26.6%
Manassas Park	6,798	10,290	51.4%
Prince William County	214,954	280,813	30.6%
Spotsylvania County	57,397	90,395	57.5%
Stafford County	62,255	92,446	48.5%
Warren County	26,142	31,584	20.8%

Source: U.S. Census Bureau, Census 2000 Redistricting Data (Public Law 94-171) Summary File. Available online: factfinder.census.gov/home/en/datanotes/expplu.html

The need for housing subsidies and support services of various kinds is identified by the following data regarding the incidence of poverty:

**Percent of Population Living in Poverty in the Suburban Virginia Planning Area and
Virginia, By Jurisdiction, 1997**

Jurisdiction	Percent of Population Living in Poverty
Alexandria	10.2%
Arlington County	8.1%
Clarke County	9.2%
Culpeper County	11.7%
Fairfax	5.4%
Fairfax County	5.3%
Falls Church	3.5%
Fauquier County	7.1%
Fredericksburg	17.8%
King George County	9.2%
Loudoun County	3.9%
Manassas	7.0%
Manassas Park	9.9%
Prince William County	6.4%
Spotsylvania County	6.8%
Stafford County	5.7%
Warren County	10.9%

Source: U.S. Census Bureau, State and County Quick Facts.
Available online: www.census.gov

Programs to assist persons living with HIV/AIDS to find and remain in HOPWA housing often include programs to address credit problems, promotion and development of “shared housing” arrangements among persons living with HIV/AIDS, assistance in improving credit, and housing information, referral and placement. Special efforts are needed to support the development of housing for families with children, and to stabilize currently adequate living conditions to prevent homelessness and premature placement of dependent children into foster care.

2. Methodology for Selecting Project Sponsors

The project sponsor in Suburban Virginia was selected by the District of Columbia HIV/AIDS Administration to serve as the pass-through entity for the Suburban Virginia portion of the EMA. Monitoring for Suburban Virginia is conducted by the Project Sponsor, NVRC, by preparing and reviewing service provider agreements. Financial monitoring consists of reviewing requests for reimbursement from participating agencies. Programmatic monitoring involves data collection and site visits to review the progress of agencies toward meeting HOPWA annual objectives and to review the numbers and characteristics of beneficiaries served. Tenant-based services are conducted through annual agreements with NVRC, short-term assistance is provided through a competitive contract, and the balance of the program services are conducted directly by NVRC or through competitive bid.

3. Housing Market Analysis

The primary obstacle facing HOPWA participants in Suburban Virginia is the scarcity of affordable housing. Vacancy rates and high average rents create a series of affordability barriers for residents. Individuals who do not receive rent subsidy have difficulty finding appropriate places to live. Apartments in the Suburban Virginia region are too expensive for many low-income residents.

Average Rents and Percent Change in the

**Suburban Virginia Planning Area,
by Select Jurisdiction, 1997 and 1999**

Area	1997	1999	Percent Change
Alexandria	\$772.	\$976.	26.4%
Arlington	\$778.	\$976.	25.4%
Falls Church	\$825.	\$935	13.3%
Fairfax County	\$809.	\$893.	10.4%
Loudoun County	\$735.	\$843.	14.7%
Prince William	\$585.	\$681.	16.4%

**Source: Metropolitan Washington Council of Governments,
Housing Survey, 1999**

Average rents rose faster than the Fair Market Rent in the last two years. The hourly wage required to afford the FMR for a two-bedroom unit is \$16.00; an estimated 33% of renters are unable to afford such a unit.

Fair Market Rents in the Suburban Virginia Planning Area, by Jurisdiction, 2001

Area	0-bedroom	1-bedroom	2-bedroom	3-Bedroom
Clarke County	\$321	\$453	\$583	\$805
Culpeper County	\$388	\$566	\$658	\$870
King George County	\$389	\$517	\$581	\$807
Warren County	\$314	\$430	\$573	\$751
Virginia jurisdictions of the Washington, DC metropolitan area	\$647	\$735	\$863	\$1,176

Source: HUD User, Fair Market Rents, 2001. Available online: www.huduser.org/datasets/fmr.html

* For purposes of determining the Fair Market Rents, HUD considers the Virginia jurisdictions of the Washington, DC metropolitan area to include Alexandria, Arlington County, Fairfax, Fairfax County, Falls Church, Fauquier County, Fredericksburg, Loudoun County, Manassas, Manassas Park, Prince William County, Stafford County, and Spotsylvania

HOPWA-funded permanent housing assistance has been provided throughout the Northern Virginia portion of the region, as follows:

Number of Units of Tenant-Based Rental Assistance Provided and Jurisdictions Served, October 1999 to September 2000

Agency	Number of Units	Jurisdictions Served
Alexandria Redevelopment and Housing Authority	14	Alexandria
County of Arlington Department of Human Services	21	Arlington County
County of Fairfax Redevelopment and Housing Authority	35	Fairfax County
Loudoun County Housing Services	7	Loudoun County
Prince William County Office of Housing and Community Development	7	Prince William County
Total	84	

Tenant-based rental assistance has not been funded by HOPWA in Northwest.

Additional supported housing assistance is provided through a variety of state and federal housing programs, shown as follows:

**Public Housing and Other Affordable Housing Units in Select Jurisdictions of the
Suburban Virginia Planning Area, 1999**

	Alexandria	Arlington County	Falls Church	Fairfax County	Loudoun County	Prince William County
Public Housing Units	889	N/A	-	1,065	N/A	N/A
Section 8 Certificates	670	825	46	1,068	93	661
Section 8 Vouchers	652	270	-	1,681	422	765
Total	1,322	1,095	46	2,749	515	1,426
Constr/Subs Rehab	972	198	80	1,546	N/A	166
Moderate Rehab	111	400	-	-	7	N/A
Total	1,083	598	80	1,546	7	166
Low Income Set Asides	684	1,086	7	1,666	470	1,523
Total	685	1,788	96	1,666	470	1,523
Low Income Set Asides	948	1,650	-	801	220	N/A
Total	1,704	2,577	-	3,046	220	N/A

Source: Metropolitan Washington Council of Governments, 1999 Housing Survey.

Note: A dash (-) is used to indicate zero units.

**Projected Need, Existing HIV/AIDS Housing Resources,
and Identified Gap, 2001**

Needs Scenario	Projected Need	Existing HIV/AIDS Housing Resources	Gap
If 8.5% of people living with HIV/AIDS are currently homeless	296	389	-
If 20% of people living with HIV/AIDS are in need of housing assistance	827	389	438
If 50% of people in poverty are in need of housing assistance	1,055	389	666

4. Suburban Virginia – FY 2003 Action Plan

HOPWA Eligible Activity	General Location of Service Provision	Estimated Number of People to be Served	Costs
1. Housing Information Services 24 CFR 574.300 b.1	Suburban Virginia	823	\$130,896
2. Resource Identification 24 CFR 574.300.b.2			\$5,000
3. Acquisition, Rehabilitation, Conversion, Lease, and Repair of Facilities 24 CFR 574.300.b.3			
4. New Construction (for single room occupancy (SRO) dwellings and Community Residences 24 CFR 574.300.b.4			
5. Project - or Tenant-based Rental Assistance 24 CFR 574.300.b.5	Northern Virginia	73	\$696,262
6. Short-term Rent, Mortgage, and Utility payments 24 CFR 574.300.b.6	Suburban Virginia	293	\$477,829
7. Supportive Services 24 CFR 574.300.b.7	Northwest Virginia	103	\$19,651
8. Operating Costs 24 CFR 574.300.b.8	Northern Virginia	12	\$51,769
9. Technical Assistance 24 CFR 574.300.b.9			
10. Administrative Expenses – Project Sponsors 7% 24 CFR 574.300.b.10	Suburban Virginia		\$107,443
TOTAL		1,304	\$1,488,850

4A. Justification for Funding Allocation

The funding allocations and priorities presented in the Strategic Action Plan table reflect the consensus developed through discussions by the Northern Virginia HIV Consortium, which includes persons living with HIV/AIDS, as well as consultation with the participating jurisdictions and the capacity of those jurisdictions to offer affordable units to persons living with HIV/AIDS. Overall the emphasis is on long-term housing units, with short-term rental assistance offered within the grant allocation provided. Rental assistance affords residents the choice to live near their source of employment, medical care, transportation, and other sources of support services.

Housing information and referral is a relatively new program in Suburban Virginia that was established in response to the identified needs for that service by the community.

Operating costs are partially subsidized for a dedicated 12-unit facility for persons living with AIDS and low-income.

A non-development program is underway in an attempt to reserve dedicated units within new housing developments in the area. This acquisition program responds to the continuing limits on available affordable units in the inner semi-circle of the Suburban Virginia service area.

Resulting from the Comprehensive Needs Assessment just completed, the community is also exploring the opportunities to develop a Renters Assistance Program, which may serve to further enhance

eligible client's success in using Long Term Rental subsidies to acquire housing within the currently available stock.

4B. Community Participation and Consultation

The planning process for the fiscal year 2003 HOPWA application involved citizen participation and consultation with public and private agencies that provide assisted housing and health services to persons with HIV/AIDS within the Suburban Virginia jurisdictions. The Entitlement Jurisdictions provided for citizen participation in their Consolidated Plans. The Consolidated Plan process consists of several public hearings at which the communities have an opportunity to comment on proposed allocations. The Plans include public hearings on all of the HUD Community Planning and Development programs, i.e., CDBG, HOME, ESG and HOPWA. Opportunities for consumer input are also advertised to users of the web-based information system developed under the HOPWA Housing Information and Referral program previously mentioned.

A well-attended public session ("Breaking the Barrier") was held connection with the Suburban Virginia Needs Assessment in 2001. During this meeting, persons living with HIV/AIDS, concerned citizens, units of local government, public agencies and other interested parties had reasonable opportunity to comment on the HOPWA program and the needs of the affected population.

Suburban Virginia jurisdictions meet occasionally with each other and with the larger membership of the Washington, D.C. Eligible Metropolitan Statistical Area. The Northern Virginia HIV Consortium also has a standing Housing Committee, which meets roughly quarterly. These meetings provide an opportunity to review case achievements; share information on financial resources, medical research and education; and offer support to program providers as well as identify developing needs observed in the community.

4C. Major Goals Toward Implementing Action Plan

Major goals and activities toward accomplishing the Suburban Virginia Action Plan are to:
Provide a total of 90 units of tenant-based rental assistance to persons living with HIV/AIDS
Provide short-term housing assistance to approximately 300 persons living with HIV/AIDS
Continue to provide support services (transportation) for housing participants
Enhance the capacity of service providers to link with other agencies and strengthen the effectiveness of their programs.
Monitor activities to ensure efficient program operation and administration, coordination with other agencies and timely expenditure of HOPWA funds.

5. *Alignment of Jurisdictional Priorities with EMSA Priorities*

The HOPWA Program in Suburban Virginia plays an important role in assisting persons who are challenged by HIV/AIDS. The Strategic Plan expands the availability of short-term assistance, provides additional housing counseling and information and referral services, and increases the housing supply thorough it's Acquisition Program.

The Suburban Virginia non-development program will be a financing element within a larger acquisition whose overall development costs may include some or all of the housing resources identified in the Housing Marketing section. The accumulated pool of HOPWA resources to be devoted to the Program may be sufficient to secure long-term access to for a few permanent units for persons with HIV/AIDS.

While expanding tenant-based and short-term housing expanding housing resources, clients also are provided access to health-care and other services offered through the Ryan White Care Act and other programs. Each HOPWA agency can assist participants by providing referrals to job training and rehabilitation programs. All of the HOPWA agencies in Suburban Virginia participate in their County's Consolidated or other planning process. The priorities and allocations of the Suburban Virginia region also correlate with those of the Washington, D.C. Eligible Metropolitan Statistical Area.

6. Institutional Structure

A network of government and private nonprofit agencies in Suburban Virginia provides services to individuals with HIV/AIDS. Each HOPWA agency collaborates with these entities creating a continuum of care for clients. The Ryan White Care Act, Titles I and II, provides services to residents. All such Ryan White services are available to persons served by HOPWA funds. These services allow clients to live independently in their own homes. Service providers offer family and individual counseling, transportation assistance, food donations and childcare in those instances in which such supports are needed for eligible clients. The remaining gaps in service, including targeted efforts to women with children and to youth, will be addressed by continuing to link with community-based organizations and by seeking additional funding through federal, state and local resources.

7. Coordination

Each of the Suburban Virginia service providers has extensive linkages to community programs throughout the region. Virginia jurisdictions improve the continuity of care through case collaboration among service providers and government agencies. Coordination of administration throughout the region is enhanced by regular communication among Project Sponsors. The Northern Virginia HIV Consortium provides a coordinating forum, and the committee structure of the Consortium allows for discussion of common issues in program design and program execution.

8. Resources Identification and Leveraging with non-HOPWA Housing

A myriad of services are provided by community-based organizations, including those funded through Title I, Title II, and Title III of the Ryan White Care Act. Some HIV/AIDS clients are also served through Section 8, rehabilitation, and tax credit funding streams, although the numbers are not available due to confidentiality provisions.

All of these services allow clients to live independently in their homes of choice, with appropriate medical and social services support.

The new non-development program identified in the Strategic Plan will serve to use HOPWA funds leveraged with a variety of other housing development funds to create new housing stock in the region.

Housing Information and Referral activities have also served to provide a new linkage between the AIDS and Disabled communities in Northern Virginia. Such linkages will lead to better coordination in identifying and using the variety of public and private funding programs available to these target populations.

West Virginia

1. Jurisdiction Summary

The AIDS Network of the Tri-State Area (ANTS) is the administrative agent for the Ryan White Title I and HOPWA funding for the West Virginia jurisdiction of the Washington DC EMA. ANTS recently participated in the West Virginia Statewide Coordinated Statement of Need 2002. In the Statement of Need current and emerging needs in housing were identified as increasing the availability of safe and affordable assisted living housing, transitional housing and public housing for all PLWHAs and their families. The housing should offer support services to those PLWHAs who have been multiply diagnosed and have substance abuse or mental health issues. Barriers and gaps to these services were identified as situations unique to the geography of the state of West Virginia, such as a lack of transportation infrastructure, and the lack of housing with support services. Support services needed in the state of West Virginia were identified as better access to medical care, mental health care and entitlement programs. The barriers to access are the lack of a transportation infrastructure. West Virginia is presently experiencing a medical crisis, which includes rising medical malpractice insurance rates and qualified medical personnel leaving the state. This crisis has also prevented the state from attracting qualified medical personnel to care for those infected with HIV.

The housing needs in Berkeley and Jefferson counties are fairly well defined by the West Virginia Statewide Coordinated Statement of Need. The housing needs of the West Virginia Jurisdiction are dependent on the activity from the Martinsburg VA Medical Center's Substance Abuse and Homeless Programs. Many of the HIV-infected veterans that pass through these programs will establish residency in Berkeley or Jefferson counties. A few have families but most are single men with histories of substance abuse and mental health issues. The greatest barrier in this area is the lack of convenient transportation services to access services that are available. The transportation issue for HIV-infected individuals has been addressed by contracting a local transportation service to provide transportation related to accessing necessary services, such as medical and dental care, mental health/substance abuse counseling, appointments with Social Security and the DHHR, and grocery shopping.

2. The Methodology for Selecting Project Sponsors and Monitoring

The AIDS Network is the project sponsor and administrator of HOPWA in Berkeley and Jefferson Counties in West Virginia. ANTS uses the federal guidelines for Housing Opportunities for Persons with AIDS. We are monitored directly by the District of Columbia, Department of Health, HIV/AIDS Administration.

3. Housing Market Analysis

Community Networks in Martinsburg maintains a HOPWA-sponsored residential housing in Martinsburg. This HIV specific housing offers shelter to five (5) individuals for a ten county area in the Eastern Panhandle of West Virginia. All other available housing is either subsidized public, subsidized private or private landlords, who may or may not participate in Section 8 housing. The exact number of rental units available in Berkeley and Jefferson counties is unknown.

4. West Virginia- FY 2003 Action Plan

HOPWA Eligible Activity	General Location of Service Provision	Number of People to be Served	Costs
1. Housing Information Services 24 CFR 574.300.b.1			
2. Resource Identification - 24 CFR 574.300.b.2			
3. Acquisition, Rehabilitation, Conversion, Lease, and Repair of Facilities - 24 CFR 574.300.b.3			
4. New Construction (for single room occupancy (SRO) dwellings and Community residences - 24 CFR 574.300.b.4			
5a. Project - based Rental Assistance - 24 CFR 574.300.b.5			
5b. Tenant-based Rental Assistance - 24 CFR 574.300.b.5	Suburban WVA	10	\$26,000
6. Short-term rent, Mortgage, and Utility payments - 24 CFR 574.300.b.6	Suburban WVA	40	\$30,488
7. Supportive Services -24 CFR 574.300.b.7	Suburban WVA	50	\$22,000
8. Operating Costs - 24 CFR 574.300.b.8			
9. Technical Assistance - 24 CFR 574.300.b.9			
10a. Admin. Expenses - 7% cap - 24 CFR 574.300.b.10	Suburban WVA	N/A	\$ 6,105
Total		100	\$84,593

Suburban West Virginia (WVA): refers to Berkeley and Jefferson Counties.

4A. Justification for Funding Allocation

The Local Jurisdictional PLWHA Committee meets on the first Wednesday of each month. During these meetings the PLWHAs voice their concerns and needs to the AIDS Network. The attendance at these meetings averages 8 to 12 participants. These interested PLWHAs are actively involved in the evaluation and allocation process of funding received by the AIDS Network.

4B. Community Participation and Consultation

The AIDS Network is currently participating in a statewide HOPWA Housing Needs Assessment with the West Virginia Coalition for People with AIDS. This needs assessment will provide not only the West Virginia statewide needs for housing but will provide a separate document noting the needs of Berkeley and Jefferson counties.

5. Alignment of Jurisdictional Priorities with EMSA Priorities

Allocation and priorities in the use of HOPWA funds is based on temporary housing support until assistance can be secured through other sources. Only those clients with delays in securing alternative housing support or an inability to qualify for alternative housing support should be placed on tenant-based rental assistance. Supportive services are enhanced by the availability of Ryan White Title I funding.

6. Institutional Structure

The AIDS Network of the Tri-State Area (ANTS) is a not-for-profit, community-based organization whose dual purpose is to prevent the spread of HIV through education and awareness and to provide support services for those living with the disease. It is the only organization in the Eastern Panhandle that provides a comprehensive, continuing program of HIV prevention education to the general public in the eight counties comprising Public Health District 8. The program also provides physical, emotional and financial support to HIV-positive clients in the areas of Berkeley and Jefferson counties in West Virginia.

The total population of West Virginia is 1,793,477 with 96.2% (1,726,023) white and 3.8% (67,454) non-white. The total population in Berkeley and Jefferson counties is 95,179 with 94% (89,470) white and 6% (6,109) non-white. The total reported HIV/AIDS cases in West Virginia are 1655 with 73.4% (1214) white and 26.6% (441) non-white. Surveillance data reported to the HIV/AIDS Administration through December 31, 2000 indicates a cumulative total of 119 AIDS cases in Berkeley and Jefferson counties. The number of persons living with AIDS is reported as 51. Of this total, 46 are male and 5 are female and 28 are white, 23 are African American and 1 is undisclosed. The most common mode of transmission reported is injection drug use followed by men having sex with men. As of December 31, 2001, the AIDS Network has a total of 164 accumulative reference cases on file with 48% (79) white and 52% (85) non-white or race unknown. Of the total reference cases on file over 70 clients remain active and have requested assistance from Ryan White Title I and/or HOPWA during 2001.

All clients are referred to Community Networks (a member of the West Virginia Coalition for People with AIDS) and the AIDS Task Force (the West Virginia Ryan White Title II program). The AIDS Network is presently one of the resource organizations for Shenandoah Valley Medical Systems with its Ryan White Title III Planning Grant.

7. Coordination

The AIDS Network maintains broad-based community linkages. The AIDS Network is member of the Health and Human Services Council of the Eastern Panhandle, which represents many members of the social and human service community of the tri-county area. It has established a referral network with Berkeley County Health Department, City Hospital, Jefferson Memorial Hospital and the Martinsburg Veterans Administration Medical Center. ANTS interacts with Hospice of the Panhandle, Department of Public Health AIDS program, Jobs Corps Center, American Red Cross, Big Brothers/Big Sisters, Teen Coalition for the Homeless, Good Shepherd Interfaith Volunteer Caregivers, Community Partnership of Morgan and Berkeley counties, Family Resource Network and FOCUS. Clients, living in Berkeley and Jefferson counties, are referred to Community Networks (a member of the West Virginia Coalition for People with AIDS) and the AIDS Task Force (the West Virginia Ryan White Title II program). The AIDS Network is presently one of the resource organizations for Shenandoah Valley Medical Systems with its Ryan White Title III Planning Grant.

The AIDS Network offers a monthly clinic for medical HIV follow up care and coordinates primary outpatient medical care to our HIV-positive clients. The AIDS Network has been instrumental in supplying educational material for the counseling and testing site recently established at Shepherd College. ANTS has established a relationship with the West Virginia Community-Based Organization Alliance. The Network is a member of the West Virginia Community-Based Organization Coalition. Through sponsorship of educational programs in local schools, seminars and HIV education classes for the community, the AIDS Network has been a consistent and widely recognized contributor to the Eastern Panhandle communities and provides a strong link to other State and National resources.

8. Resource Identification and Leveraging with non-HOPWA Funds

When a client's initial application for HOPWA funding is submitted to the AIDS Network, the client is also referred to the Martinsburg Housing Authority to apply for Section 8 Rental Assistance. Section 8 Rental Assistance is available to residents in both Berkeley and Jefferson counties. These clients must also contact the Department of Health and Human Resources to be evaluated for eligibility for state-supported funding. In addition to HOPWA, emergency assistance is available to HIV-positive clients through the HIV Care Consortium supported by Ryan White Title II and the State of West Virginia. ANTS has a limited amount of privately donated funding to provide direct client assistance to HIV-positive persons within the Public Health District VIII region. The AIDS Network has a variety of community service groups to support our HOPWA assistance program. HIV-positive clients in Berkeley and Jefferson counties can be referred to

Community Networks, Catholic Community Services, Shenandoah Women's Center, Martinsburg Union Rescue Mission, Salvation Army, and Telamon Corporation. Residents of Berkeley County may request assistance from Community Congregation Action project and residents of Jefferson County may request assistance from Shepherdstown Community Ministries. Many community service organizations within Berkeley and Jefferson counties offer public assistance that is not specifically designated for clients who are HIV-positive.

10.D. Appendix D: Fair Housing Material Contained in the “Consolidated Plan for the District of Columbia Fiscal Years 2001-2005”

This material is taken from the “Consolidated Plan for the District of Columbia Fiscal Years 2001-2005”, distributed in FY 2001.

10.D.1. Analysis of Impediments to Fair Housing

The District of Columbia has worked to address the impediments to fair housing identified in the *1997 Draft District of Columbia Analysis of Impediments (AI)* and the *1997 Regional AI*. In order to test the immediate and short-term progress achieved by these efforts, it is important to review the District's accomplishments to ensure that fair housing choices exist for all citizens. Through regular assessments of local and regional impediments and reports on the District's positive efforts to address those impediments, we can ensure that Washington offers all of its residents the opportunity to make fair housing choices free of impediments based on race, color, religion, sex, disability, familial status, or national origin. The following report reviews the progress made in removing barriers to fair housing choice.

The AI is a comprehensive review of a state's or an entitlement community's laws, regulations, administrative policies, procedures, and practices. It requires an analysis of how these laws affect the location, availability, and accessibility of housing and an assessment of private and public conditions affecting fair housing choice. “Impediments” are defined as any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choice, or any action, omissions, or decisions which have the effect of restricting housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

In 1996, Washington-area jurisdictions selected the Metropolitan Washington Council of Governments (COG) to prepare a regional fair housing plan. Eight Community Development Block Grant (CDBG)-entitlement jurisdictions agreed to participate in a regional fair housing plan. While the U.S. Department of Housing and Urban Development (HUD) did not require the preparation of a regional plan, it strongly encouraged jurisdictions to “consult” with one another and initiate metropolitan area-wide or region-wide fair housing planning. Each jurisdiction, including the District, produced a local report in cooperation with COG. Several years have elapsed since the completion of the *1997 Regional Analysis of Impediments* and the *1997 Draft District of Columbia Analysis of Impediments*, and it is appropriate at this time to revisit those identified impediments and assess the progress which local jurisdictions have made in removing barriers to fair housing choice. The government of the District of Columbia has charged the Fair Housing Council with undertaking this task to evaluate the impediments to fair housing in the city of Washington in the year 2000. This section of the FY 2003 Action Plan is based on the Fair Housing Council's report to the agency in December 2000. In an effort to support the previous commitment to the elimination of racial and ethnic segregation and other regional discriminatory practices in housing, this update provides a broad overview of the types of activities, plans, projects and programs that the District of Columbia has undertaken since the completion of the 1997 Analysis of Impediments. This section on Fair Housing also provides an amendment to and is incorporated into the Fair Housing component of DHCD's five-year plan, the *Consolidated Plan for the District of Columbia Fiscal Years 2001-2005*.

10.D.2. Demographic, Economic, Racial and Ethnic Profile of the District of Columbia.

The demographic profile of the District will be presented in comparison with the surrounding metropolitan area. Data from the 2000 US Census will be presented whenever possible, but it must be noted that at the time of publication, the most recent census data is only available for the District of Columbia and for the Washington DC-MD-VA MSA as a whole. In order to understand the demographic profile of Washington at the ward or neighborhood level, this report will include complementary pre-2000 surveys and estimates from a number of sources.

1. Definitions

COG member jurisdictions: Members of COG include the District of Columbia, Frederick, Montgomery, and Prince George's counties and the cities of Bowie, College Park, Frederick, Gaithersburg, Greenbelt, Rockville, and Takoma Park in Maryland; and Arlington, Fairfax, Loudoun, and Prince William counties and the cities of Alexandria, Fairfax, and Falls Church in Virginia.

Washington DC-MD-VA Metropolitan Statistical Area (MSA): As defined by the Office of Management and Budget in 1983, the MSA extends beyond COG's membership to include the cities of Manassas and Manassas Park, Stafford County in Virginia, and Charles and Calvert counties in Maryland. HUD uses this geographic definition in determining fair market levels and other metropolitan-based assistance figures.

Central or Core jurisdictions: These jurisdictions are the District of Columbia, Arlington County, and the city of Alexandria.

Inner suburbs: These include Montgomery County, Prince George's County, Fairfax County, and the cities of Fairfax and Falls Church.

Outer suburbs: These are Calvert County, Charles County, Frederick County, Loudoun County, Prince William County, Stafford County, and the cities of Manassas and Manassas Park.

Concentration: Unless otherwise stated, this report follows the HUD guidelines in defining areas of concentration as those of double the regional average. For example, 37 percent of the region's population is a member of a minority group. A concentration of all minorities would be an area with more than 75 percent minority population.

Linguistically isolated: This report follows the U.S. Census in defining linguistically isolated households as those without any members who speak English well.

Overcrowded: With regard to demographic or census data, this report defines overcrowded quarters as those with more than one person per room (excluding bathrooms and kitchens).

2. Demographic Profile

a. *Economic*

According to the 1999 Washington Area Housing's Annual Regional Housing Report, housing activity in the Washington area in 1997 and 1998 reached new highs, spurred by plummeting interest rates and a generally strong economy at both the regional and national levels. In the Washington area, the strengthening of the economy generated increased home sales, new home starts, and refinancing of existing homes. The number of existing home sales has steadily risen through the mid-1990's, from 11,700 sales in 1995 to 14,400 sales in 1997. The overall homeownership rate has likewise increased, from 36.4 percent in 1990, to 38.2 percent in 1995, to 40.4 percent in 1996. The homeownership rate in the District remains slightly behind the surrounding jurisdictions, however, at a rate of 38.9 percent.

b. *Population Profile by Race and Ethnicity*

The population of the District of Columbia remains one of the most diverse in the nation. According to census estimates, the District's population is 62.3 percent African-American, 34.3 percent Caucasian and three percent Asian/Pacific Islander. In addition, the District's Hispanic population is at 7.2 percent. Since 1990, the District has seen a growth in its Asian/Pacific Islander and Hispanic populations, with relative declines in the African-American and Caucasian populations. Overall, the District continues to experience a decline in population. According to estimates, the population of Washington, D.C. is 519,000, a decline of 14.5 percent since 1990.

The demographic characteristics of the District contrast strongly with the surrounding MSA. The metro region's population is 25.4 percent African-American, 68.1 percent Caucasian and 6.2 percent Asian/Pacific Islander. In addition, the region's Hispanic population is 6.8 percent. A 1995 Montgomery County study found that 85 percent of the population growth in the county occurred in minority populations. Fairfax County's Demographic Bulletin reports the county's Asian and Hispanic populations have also been growing. By the year 2020, the region's population is expected to grow by more than 40 percent.

Despite the diverse and growing populations, both in the District and the entire MSA, segregated residential patterns continue to be the norm. According to the data, African-Americans remain clustered, particularly in the Southeast, Southwest and Northeast quadrants and east of 16th Street in the Northwest quadrant of the District of Columbia, and inside the beltway in Prince George's County. As first reported in the 1997 AI, Asians in the Washington region continue to be concentrated in certain neighborhoods around the region, and are often segregated amongst themselves by boundaries of ethnic and national origin.

The Hispanic population is a special case. As the Census Bureau defines "Hispanic" as an ethnic rather than a racial category, Hispanics can be of any race. The largest concentrations of Hispanic residents are found in Alexandria and Arlington County. However, in terms of absolute numbers, the District of Columbia and Fairfax County have the most Hispanic residents.

c. *Linguistic Isolation*

As stated in the previous AI, language barriers exist in many households in our region. There continue to be an estimated 125,000 residents in households where English is not spoken very well. Over 50 percent speak Spanish and over one-third speak an Asian or Pacific Island language.

d. *Population Profile by Family Status*

Nearly all of the communities in the metro region with a high percentage of female-headed households with children were located within the District and Prince George's County. In 1996, the District had the highest number of single-headed households with children in the region, 28,031 families, 12.1 percent of all the families in the District. Prince George's County is comparable with the District, having 35,660 single-headed households, 12.7 percent of all families in the county. These two jurisdictions bear a disproportionate share of single-parent households; the District is home to 21.11 percent of all single-parent families in the metro region while Prince George's County is home to 26.85 percent.

Within the District, 16th Street continues to serve as a socio-cultural dividing line. The overwhelming majority of neighborhoods east of 16th have rates of single-parent families of 36.1 percent or more. This evidence indicates that the majority of single-parent families are also minority families. The consequence of this fact is that the District faces the dual challenge of combating discrimination based on race and on familial status.

10.D.3. Regional Income, Rental and Home Ownership Profiles

1. *Income Profile*

It has been observed that income is positively related to housing choice. The 2000 median family income in the District is \$33,683, compared with \$78,000 for the Washington DC-MD-VA MSA. The District's median household income is actually below the national median of \$34,076, while the overall MSA is 61 percent higher than the national median. The District has 20.8 percent of its population below the poverty line and 36.8 percent of its children below the poverty line. This is compared with 13.8 percent of the national population under the poverty line and only 8.8 percent of the Washington MSA population in poverty. The national percentage of children living in poverty is 20.8 percent, compared with 10.8 percent regionally.

The District of Columbia has the highest percentage of poor households in the metro region, while Fairfax County has the lowest, but three of the 134 Census tracts with poverty rates more than double the regional average of 6.5 percent are located inside the Beltway.

According to the Census Bureau, household income varies significantly by racial and ethnic group. Minority households are generally poorer than the region's white households. Nationally, the median household income for white households was \$53,526, for African-American households \$33,434, for Asian and Pacific Islanders \$46,305, and for Hispanics \$37,923.

2. Renter Profile

There is a positive correlation between the region's housing costs and income. In HUD's *The Widening Gap: New Findings on Housing Affordability in America*, it was reported that despite a period of robust economic expansion, the housing stock affordable to struggling families continues to shrink. The number of affordable rental units (the number of units affordable to households at or below 30 percent of area median income) decreased by 37,200 units, a five percent drop from 1991 to 1997. It was also reported that in 1997, for every 100 households at or below the 30 percent of median income, there were only 36 units both affordable and available for rent. There are many people in the Washington metropolitan area who have not shared in this economic expansion and are struggling to find fair housing choice and decent living conditions.

Furthermore, in 1997 and 1998, rents increased at twice the rate of general *inflation*. According to the latest American Housing Survey and recent data from the Bureau of Labor Statistics, rents increased 3.1 percent in 1997 while the overall Consumer Price Index (CPI) increased by only 1.6 percent. In 1998, rents increased by 3.4 percent while the overall CPI increased at 1.7 percent. The Washington region has seen a significant increase in the region's rental housing cost. In 1990, there were 542,205 rental units in the Washington area. More than 75 percent of these units had rents of more than \$500 a month; 41 percent had rents from \$500 to \$749. Rents in the District remain among the highest in the region, with an average of \$1,115 a month, according to a recent estimate.

3. Home Ownership Profile

Due in part to the lack of housing stock availability, the home ownership rate in the District continues to lag behind both national and regional estimates. According to the Census Bureau, the homeownership rate in the District is 38.9 percent, as compared to 64.2 percent nationally. As demand for housing is high and actual housing stock is low, home prices have rocketed to exorbitant amounts increasing the ownership gap between Whites, African Americans and Latinos. The ownership difference is not always determined by the buyers financial resources, but by his/her protected class. In two recent reports on racial discrimination, completed by HUD and the Association of Community Organizations for Reform Now (ACORN), it was reported that African Americans are twice as likely as whites to be denied conventional home loans. Hispanic Americans are more than one-and-a-half times more likely to be declined loans than white applicants. As previously mentioned, the number of conventional home mortgages approved each year is rising, but this growth rate is much higher for whites. Researchers found that in 1998, whites received 48 percent more conventional mortgages than they did in 1995, compared to 22 percent more for African-Americans and 20 percent more for Hispanic Americans.

Additionally, the monthly costs of owning a home in the metropolitan area more than doubled in the 1980's. During this time, the median monthly cost in the MSA for mortgages was \$528. By 1990, the average cost had risen to \$1,145, about a third more than the national median of \$737. According to the Washington Area Housing Partnership 1996 analysis of data from the Washington area Realtors, the average price of a house sold in the Washington region was \$182,247 in both 1993 and 1994.

4. Employment and Transportation Network

According to the Urban Institute, as of June 1998, the District had 24 percent of the region's jobs, while the suburbs outside of the Capital Beltway were home to half of all regional jobs and two-thirds of all suburban jobs. Additionally, the District's share of regional employment dropped from one-third in 1990 to one-fourth in 1998. Unemployment is 6 percent in the District, while it is near 1.5 percent in places such as Fairfax County. The shift towards higher job growth in the inner and outer suburbs places greater demands on access to transportation for District job-seekers.

Not surprisingly, Washington area families spend near \$7,200 annually on transportation, ranking Washington among the most costly metropolitan areas in the country. According to a report by the Surface Transportation Policy Project, the District ranks eighth out of 26 major metropolitan areas. An average family in the region spends 15.4 percent of its household income on buying, maintaining and fueling its automobiles and on public transit. The study concludes that this amount is more than local families spend on health care, education or food!

Residents of the District face particular concerns over transportation. According to the US Census, the number of motor vehicle registrations in the District is 438 per 1000 residents; a low 44 percent rate of vehicle ownership. The extensive Metrorail and Metrobus lines enable District residents to meet their transportation needs without the ownership of motor vehicles. But when residents require regular access to the inner and outer suburbs, where Metrorail and bus lines are few or even nonexistent, the lack of vehicle ownership can be crippling.

The District has begun to take steps to address this emerging issue. In December 2000, WMATA began regular bus service from L'Enfant Plaza to Dulles International Airport. The buses run hourly, seven days a week, with a basic fair of \$1.10 each way, enabling District residents to pursue employment in the inner suburbs. The number and frequency of Washington-to-Suburb bus routes must continue to increase to meet the needs of District residents.

Another achievement of the District has been the long-anticipated completion of the Metrorail Green Line. The Metrorail system has begun to provide service to Columbia Heights and Georgia Avenue-Petworth, and has opened five new stations south of the Anacostia River, from Congress Heights to Branch Avenue, in early 2002.

Proposals to improve the District's transportation grid, particularly in the Southeast Freeway, need to be accompanied by a thorough social impact assessment to determine possible detrimental impacts such as the gentrification of the neighborhood south of the freeway and the resulting loss of access to housing for current residents.

10.D.4. Impediments Identified in the 1997 Regional Analysis of Impediments and Current Efforts Undertaken by the District of Columbia to Affirmatively Further Fair Housing

1. The 1997 AI: Findings and Conclusions

In 1997, it was identified that much of the Washington area's population was concentrated by race and ethnicity. Jurisdictions were encouraged to examine the

geographical concentration of affordable housing and the geographic concentration of subsidized housing. Local governments were also urged to look at ways of considering inclusionary zoning and scattered site public housing; developing mixed-income neighborhoods; engineering strategies to effectively disperse Section 8 vouchers and certificate holders; and working more directly with neighborhood groups. Local governments were asked to examine ways to disperse affordable housing throughout their jurisdictions by looking at zoning ordinances to include higher density housing.

Housing discrimination was also highlighted in the first AI as a barrier for residents to obtain affordable housing in the region. Jurisdictions were encouraged to analyze discrimination against persons with disabilities, broaden the definition of "family", research a definition of physical and mental impairment, and examine the lack of accessible housing in each jurisdiction. The 1997 AI described regional discrimination against families with children, highlighted a general lack of local guidance for those families, and illustrated a lack of rental housing for large families. Jurisdictions were requested to examine the real estate, mortgage and insurance industries (through complaint data and random testing programs). By implementing a testing program, jurisdictions could better measure the level of housing rental and sales discrimination. And finally, the first AI challenged jurisdictions to review their local human rights laws and consider adopting fair housing laws that are substantially equivalent in terms of protections provided to victims of housing discrimination under federal law.

2. The District of Columbia's Response to the 1997 AI

Since the 1997 publication of the *Regional Analysis of Impediments*, many policies, plans, and actions have been undertaken to further fair housing in the District. The Department of Housing and Community Development (DHCD) has hired a full time Bilingual Fair Housing Program Coordinator to address fair housing policy and implementation and to ensure the integration of fair housing objectives into its programs and services. The District's OHR has become substantially equivalent to federal fair housing laws because of the fair housing protections provided and its access to additional HUD resources. In order to affirmatively further fair housing in accordance with federal requirements, the DC Department of Housing and Community Development has provided \$182,000 in funding to the Office of Human Rights (OHR) and the Fair Housing Council of Greater Washington (FHCGW).

The DC OHR was funded a total of \$115,000 in FY 2000, through HUD's fair housing assistance program (FHAP), for fair housing activities. Eighty thousand dollars of the grant total was allocated to OHR at the end of the fiscal year and the remainder is pending. OHR will be able to use these funds once the D.C. Control Board approves the required budget amendments for FY 2002.

In the District of Columbia, the Fair Housing Council of Greater Washington (FHCCW, now called the Equal Rights Center, or ERC) has established a Partnership™ initiative with Long and Foster Realtors, Weichert Realty, W.C & A.N. Miller Realtors, Avery-Hess Realtors and Pardoe ERA. All have agreed to a policy review, comprehensive fair housing training and self-testing in conjunction with FHCGW. In 1999, OHR wrote a letter of support on behalf of the FHCGW to HUD's Fair Housing Initiative Program (FHIP) to further develop partnership programs. OHR also wrote a letter of support to HUD's FEW program, supporting efforts by the Central American Resource Center (CARECEN) to provide fair

housing outreach to the Latino community. Although, HUD did not fund these grants, the initiative between the government and the nonprofit sector has bridged some gaps in the cooperation of these entities to combat housing discrimination in undeserved communities.

For nearly thirty (30) years, DHCD has contracted with community-based organizations (CBOs) to provide a variety of housing outreach and counseling services. In FY s 1998 through 2002, DHCD contracted with CBOs such as Housing Counseling Services, Inc. (HCS), and the Latino Economic Development Corporation (LEDC) to provide service Spanish speaking residents of the District. The services provided assist DHCD in reaching homeownership goals established through the Department's consolidated plan process. The designated service areas for these CBOs serve low-moderated households in and minority communities. The District also participates in the Regional Opportunity Counseling Program through HCS and COG to provide recipients of Section 8 Vouchers better guidance on housing opportunities and mobility in the District and the metropolitan area. (This update of the 1997 AI is a component of this project).

DHCD has sponsored education and outreach activities through FHCGW. DHCD has provided outreach to the District's immigrant community through the use of publications and other informational materials notifying residents of their rights and responsibilities as home seekers, how to recognize housing discrimination, and recourse if confronted with such actions. In addition, having a Fair Housing Program Coordinator on board will enable the DHCD to be more accessible and responsive to the immigrant community.

3. Fair Housing Enforcement Efforts

The most important accomplishment of the DC Office of Human Rights since the 1997 AI has been the establishment of substantial equivalency. The staff size of the OHR is currently 12, up from a staff of seven at the time of the 1997 AI. The staff includes one intake officer and three investigators. Like other state and local human rights offices, DC OHIR receives a majority of calls regarding civil rights violations in employment. Fair housing complaints are a relative minority. This is to be expected, as victims are more likely to be aware of discrimination on-the-job than while searching for housing. Public education and outreach efforts, and audit-based testing, are important tools for uncovering discrimination in the housing market.

Enforcement efforts by nonprofit fair housing organizations fill a vital role in civil rights enforcement. Fair Housing organizations, such as the Equal Rights Center, have proven successful in using random-sample ("audit") testing to uncover housing discrimination. Audit testing has led to successful enforcement of civil rights violations, as has the investigation of bonafide complaints. Fair Housing agencies have also utilized testing to investigate bonafide complaints, providing much-needed evidence to corroborate the claims of discrimination victims.

Fair Housing organizations, through their education and outreach efforts, provide a vehicle for victims of discrimination to pursue their rights. For the 18-month period of June 1st, 1996-December 31st 1997, The Equal Rights Center received over 700 bona fide complaints of housing discrimination. The vast majority of the complaints were based upon race, national origin, and disability and involved rental, sales and lending profiles. The

ERC also receives and investigates bona fide complaints based upon local fair housing and human relations codes

The Equal Rights Center has conducted over 200 paired rental tests and 100 paired sales tests made in response to *bonafide* complaints in the District of Columbia. The ERC also conducted over 70 matched pair tests in response to bonafide complaints in Suburban Maryland and Northern Virginia. In addition, the ERC conducted 30 mortgage lending tests at five lending institutions in the District of Columbia and Maryland in response to complaints made to the ERC's hotline in the Greater Washington area.

FHCGW has conducted testing of discriminatory lending and insurance practices, which resulted in the first national predatory lending case, filed against a mortgage company c specifically, Capitol Cities Mortgage Company. The FHCGW conducted 150 paired mortgage-lending tests at the offices of 45 of the largest lenders in the Washington metropolitan region. In 61 of the tests, differential treatment favoring the white testers was documented. DHCD has also contracted with FHCGW to conduct testing of insurance companies. They found that numerous insurance companies have discriminated against Blacks and Latino applicants. The FHCGW has filed several complaints against insurance providers who were redlining or providing discriminatory coverage for homeowner's insurance in the District of Columbia. FHCGW has filed complaints against Erie, Travelers, and Prudential, while the National Fair Housing Alliance (NFHA) filed similar complaints against Liberty Mutual Insurance Companies. DHCD has supported the complaints against these insurance companies. As a result of this process, all of these companies have subsequently expanded their programs in the District, or re-entered the Washington market entirely. Liberty Mutual has led the way, dedicating \$3.5 million to provide fair access to insurance in the District.

Between the years 1990- 1995, civil rights litigation supported by the ERC has produced over \$5.4 million in awards and settlements, of which \$3.2 million has been collected. Further, each and every settlement has included substantial injunctive and affirmative relief. Since 1995, twelve more administrative matters have settled, each including injunctive and affirmative relief, plus compensatory relief totaling more than \$250,000.

4. Inter-Jurisdictional Efforts to Further Fair Housing

The District continues to be an active partner in metro-wide efforts to promote fair housing and housing opportunity. The District works closely with the Metropolitan Washington Council of Governments (COG), the leading partner in interjurisdictional efforts. COG is a regional organization of Washington area local governments, including the District, although COG itself is chartered as an independent, nonprofit association.

Through COG, the District has participated in the Housing Opportunities Program, which covers a broad array of issues, including gathering data on the region's housing stock, Section 8 housing, homelessness, housing affordability, concentration of affordable housing, and neighborhood redevelopment. The Housing Opportunities Program's recent achievements include: a study on Section 8 mobility; a regional forum on Section 8 mobility; low-cost housing concentration; and a "best practices" report.

Another program of COG, the Washington Area Housing Partnership, forms important public-private linkages. This partnership's achievements include: the establishment of a

regional database of housing resources that includes both assisted and unassisted housing; facilitation of a redevelopment planning process for properties in the District's Wards; and the publication of a comprehensive study of new housing units planned for east of the Anacostia River. The Washington Area Housing Partnership is planning for a Regional Housing Conference in March 2002, to focus on the issue of affordable housing for low- and moderate-income families.

The District is also working through COG, and other inter-jurisdictional bodies, to address concerns of rapid growth in the metro area. In January 2002, COG and the National Capital Planning Commission (NCPCC) co-sponsored a conference on "Federal Planning, Urban Revitalization, and Smart Growth in the National Capital Region," to address those issues. The discussions included such issues as: the location of future federal offices and other facilities; partnerships to promote and develop waterfronts in the District and the region; the effect of federal development on transportation investments; and the enhancement of connected open space and preservation of natural and historic resources. Publications ensuing as a result of this conference can be obtained from the offices of COG.

10.D.5. Discussion of Specific Impediments

The following sections provide information on specific local impediments to fair housing. The order follows from the 1997 Draft District of Columbia AI. Each section includes a brief summary of the 1997 AI's findings, the course of action taken within the District and the current state of affairs.

1. Rental and Sales Discrimination

The 1997 AI noted that the District had previously conducted only a single round of testing for rental and sales discrimination, and this testing occurred in 1986. The report recommended that the District should conduct its own or contract out for testing for housing discrimination in the rental and sales market. Tests should focus on discrimination of immigrant as well as African-American households.

Following on these recommendations, between Fiscal Years 1998-2000, DHCD funded the Fair Housing Council of Greater Washington (FHCGW) in the amount of \$182,000 to perform fair housing activities. In addition, the FHCGW has embarked on a four-year project to monitor levels of housing discrimination in the Washington metropolitan area. This "Fair Housing Index," initiated in 1997, has helped to address the need for additional testing to provide for ongoing monitoring of the housing market. The Fair Housing Index is presently completing further rounds of testing and research, and will be published in early 2002.

Unfortunately, the incidence of discrimination in the rental and sales markets remains unacceptably high. The 1997 Fair Housing Index recorded an overall 28 percent rate of discrimination in the Washington DC sales market (compared with an overall rate of 36 percent throughout the region). For African-Americans, the rate of discrimination was 20 percent (compared to a 33 percent rate in the metropolitan region), while for Hispanics, the rate of discrimination was 38 percent (compared to 42 percent regionally). While it is encouraging that the District has lower rates of discrimination than the surrounding

jurisdictions, the numbers also clearly indicate that discrimination in the sales and rental market remains a serious problem.

Recommendations: The District must allocate adequate funding for testing and testing-based enforcement efforts. In addition, the District should expand its fair housing enforcement efforts, as opposed to fair employment concerns, and assist the work of local fair housing agencies. The District should assume the lead role in conducting education and outreach in Washington to inform citizens of their rights and options when faced with housing discrimination.

2. Disability Discrimination

While much of the concern in housing discrimination is rightly focused on discrimination against racial and ethnic minorities, other groups, such as people with disabilities also face discrimination. In 1996, the FHCGW conducted testing-based investigation into three areas of disability discrimination: differential treatment towards people with disabilities; requests for reasonable accommodations and reasonable modifications made by people with disabilities; and non-compliance with federal architectural guidelines established for new construction of multifamily rental dwellings.

In investigating differential treatments and refusal of reasonable accommodations/modifications in the Washington area rental market, the FHCGW found a 50 percent rate of discrimination against people with disabilities. In examining the level of compliance with federal guidelines for new construction, the FHCGW expected to find complete compliance, that is, a 100 percent rate of compliance. The Fair Housing Act minimum architectural guidelines that must be incorporated into the design and construction of all new multifamily housing build for first occupancy after March 13, 1991. This act therefore mandates a 100 percent rate of compliance. The testing conducted by the FHCGW found that instead the rate of compliance with new construction requirements was 0 percent; there was a 100 percent rate of non-compliance with part or all of the new construction requirements! (It must be noted that this figure does not necessarily reflect compliance rates in the District, as no new construction had occurred in Washington during the testing phase of this Index. Testing on new construction multifamily and townhouse developments in the District since 1997 needs to be conducted).

Disabled home seekers face additional obstacles when interacting with condominium and cooperative boards. In the Washington area, the FHCGW has led the effort to inform condominium and cooperative boards of their obligations to make reasonable accommodations/modifications. The unfortunate reality is that many boards fail to comply with these requirements, and in such cases are often under the mistaken belief that their organizations are exempt from the law.

Recommendations: The District must take a stance of “zero tolerance” towards violations in new construction. It has now been over nine years since the passage of the guidelines; the time for a “grace period” has long since passed. Construction developers and architects are, or should be, cognizant of the laws guiding accessibility and held responsible for construction and design, which impede accessibility. The District should guide efforts to inform private landlords, rental management companies, and condominium and cooperative boards of their fair housing obligations through training sessions, policy manuals and informational brochures. The District should provide for testing and testing-

based enforcement against all violations of the protections for people with mental and physical disabilities.

3. Lending Discrimination

a. *Predatory Lending*

The most important action taken by the District to combat lending discrimination has been the passage by the DC Council, on Dec. 5, 2000, of the update of the city's 99-year-old foreclosure law. The new law's intended effect is to eliminate the practice of "predatory lending" in the District. Among the practices banned are loans to borrowers with insufficient ability to repay; "flipping" or repeated financing; credit insurance financed up front in a loan; "unusual and unconscionable" charges; and loans with fees "substantially greater" than the borrower could qualify for based on credit scores. Lenders violating the law would be liable for triple damages and could be forced to make the homeowner whole.

The impetus for this important bill is the case of Capital Cities Mortgage Corp., whom, according to a Washington Post analysis, foreclosed on one of every five mortgages issued from 1984 to 1995. The majority of properties involved were located in predominantly black Washington neighborhoods. In response to the Capital Cities case, the District in 1996 adopted a law licensing mortgage lenders and brokers. The predatory lending law provides another layer of protection for minority, elderly and poor homeowners. (Further action against the egregious and unconscionable practices of Capital Cities was taken by the FHCGW, who spearheaded efforts to bring civil action against the company).

This law provides some of the strongest protections in the nation, perhaps second only to North Carolina. However, there are some provisions in the law of concern. First, the law is limited to refinancing below a \$275,000 threshold, however this amount, in today's market does not cover the rising value of housing stock. Many neighborhoods going through a transition have home valued at prices much higher than the threshold. It also would exempt loans to commercial or faith institutions at higher amounts. New mortgages and refinancing above \$275,000 are exempt. In addition, the bill allows lenders with a net worth of \$10 million or more to submit higher-cost loan programs to the mayor. Those found not to include predatory provisions would be exempt from later challenges from homeowners. Another amendment provides a broad exemption for all loans purchased by Fannie Mae and Freddie Mac on the secondary mortgage market. Finally, the law also strips homeowners of the long-established right to have a hearing before eviction resulting from a foreclosure. The loss of this right is offset by new provisions, which require five notices to homeowners, including one hand delivery, before foreclosure. In addition, all foreclosure sales must be audited.

Recommendations: The District can and should take pro-active steps to prevent predatory practices before they occur. The Office of Banking and Financial Institutions (OBFI) should be funded adequately to employ investigative personnel. The District, through OBFI, should investigate ways to document predatory practices other than by reliance purely on Home Mortgage Disclosure Act (HMDA) data. HMDA data is gathered after-the-fact, and is thus of limited utility in preventing predatory practices.

Instead, the District should attempt alternative policies such as mandating routine audits of lenders operating in Washington.

The OBFI should outline and maintain a list of strict standards by which lenders can petition for an exception to the foreclosure law. To assist in this process, the District should request regulatory guidance from the proper federal agencies. The petition process needs to be transparent as well, allowing all stakeholders an opportunity to voice any concerns over whether specific loan programs contain predatory provisions.

The DC government should consider a review of the lending practices of Fannie Mae and Freddie Mac to determine if their blanket exemption is warranted, and must be willing to remove this exemption if their findings determine otherwise. These institutions have issued a list of lending practices that would keep them from buying loans from banks and other lenders. This set of standards must be evaluated in light of the protections offered by the foreclosure law, and the degree to which Fannie and Freddie comply with their own standards must be measured as well. The DC government should investigate the impact of Fannie Mae's and Freddie Mac's entrée into the "sub-prime" lending market, with a special concern for its impact on the overall mission of these institutions. Both of these institutions have recently come under scrutiny for lending to minorities at significantly lower rates than other lenders. The District should be concerned not only with predatory lending, but also with all potential incidents of lending discrimination, such as product steering, questionable underwriting guidelines and redlining. It can be argued, for instance, that Fannie Mae's and Freddie Mac's failure to enter the market in minority communities has created the vacuum, which has been filled by sub-prime and predatory lenders.

a. *The Dual Lending Market*

The segregation of communities in the District is paralleled by segregation in access to credit. For predominantly white neighborhoods, there is abundant access to loans from prime lenders. For predominantly black and immigrant neighborhoods, there is scarce access to loans from prime lenders, but ample access to monies from sub-prime lenders. In effect, the redlining of minority communities by the prime lenders leaves these communities vulnerable to sub-prime and predatory lenders. The result is a dual lending market in the District.

Data provided from the Home Mortgage Disclosure Act (HMDA) illustrates this process. An analysis of 1998 HMDA data, conducted by the National Community Reinvestment Coalition (NCRC) shows that borrowers living in substantially minority census tracts in Washington are almost 25 times more likely to receive a sub-prime loan to refinance their home than borrowers living in substantially white parts of the city.

For the top five prime refinance lenders in Washington, the NCRC analysis found that these lenders made 71 percent of their loans to white applicants, while making just 13 percent of their loans to black applicants. Conversely, the top five sub-prime refinance lenders in the District made 67 percent of their loans to black applicants. In addition, the top five sub-prime lenders issued only 4 percent of their conventional refinance loans in substantially white census tracts, but an overwhelming 95 percent of all such loans in substantially minority neighborhoods. This pattern of lack of service by prime lenders is driven by factors of race, rather than income. The NCRC analysis also shows

that in 1998, these lenders made 11 percent of their conventional refinance loans to middle-income white applicants, while making just 2.5 percent of such loans to middle-income black applicants. It is difficult to argue that the only loans suitable for these middle-income black applicants are sub-prime loans.

The findings from testing-based research on mortgage practices lend credence to allegations of discrimination in the lending market. According to a 1998 audit of mortgage lending conducted by the FHCGW, there is a rate of discrimination of 41 percent in the Washington area. African-Americans are likely to be discriminated against 37 percent of the time, while Hispanics are likely to be discriminated against 48 percent of the time. The findings from this audit project led to civil action against NationsBanc/Bank of America, the result of which is that Bank of America has dedicated itself to combating discriminatory practices.

Recommendations: The dual lending market must be combated on two fronts. The first front is the battle against both unnecessary sub-prime lending practices and predatory lending. In addition to the much-needed foreclosure law mentioned previously, the District must take steps to educate its citizens about the nature of sub-prime lending, as well as all their options for financing. The goal of these efforts should be to ensure that applicants for all home loans who qualify at prime rates must be provided with prime loans, leaving sub-prime lending for those who are unable to qualify for alternative sources of financing.

The second front is the battle against redlining in minority communities. It is the practice of redlining which force minorities into sub-prime and predatory loans due to their lack of options for financing. By testing lenders, and engaging in enforcement actions based on testing, it is possible to combat both sides of the dual market.

b. Credit Scoring

Credit scoring has emerged as the industry's most touted tool to predict risk. Credit scoring has been extolled as a valuable decision/support tool by many lenders in the mortgage lending and insurance industries. Nevertheless, this system of scoring risk has generated an abundance of controversy among advocates and financial institutions. The basic controversy stems from what is used to generate the score, and whether there is actuarial data to support the use of scoring. The use of race, ethnicity or any other protected category as a factor in determining a credit score is a serious violation of the Fair Housing Act. An additional concern is that credit scoring may violate the Fair Housing Act due to its disparate impact on minority communities. In other words, even if the scoring process is determined to be grounded in "objective" actuarial data, if the end result is that minority populations are disproportionately ranked lower than whites, then the resulting higher refusal rates for minorities would be as much a violation of the law as intentional red-lining!

Recommendations: The District should continue its efforts to protect credit-seekers through legislation, which clarifies the proper role of credit scoring in the lending process. Such legislation should reaffirm the primacy of equal housing opportunity concerns over all elements of the lending process. In order to facilitate these efforts, it is recommended that the District investigate the role of credit scoring in the lending market in order to determine if: a) the credit scores are based on biased or unbiased

standards, including protected categories, and b) that the use of credit scoring does or does not have a disparate impact on minority populations. One additional aspect of such an investigation would be the question of whether the mere fact of an individual residing in the District has an adverse effect on his/her credit score, as opposed to individuals residing in the surrounding communities.

4. Insurance Discrimination

The 1997 AI reported that “age” restrictions and housing value limitations that restrict access to the most desirable policies have a significant and disproportionately adverse effect on minority communities and that policies that have an adverse impact on minority communities have been and are currently being challenged under the Fair Housing Act as violations of the law. The work of challenging discriminatory insurance practices continues. Practices, such as placing age restriction on houses 30 years old or older, can be difficult to challenge as discriminatory when the lenders claim their decision was made out of business necessity. Fortunately, or unfortunately, many discriminatory practices by lenders are more direct.

In 1999, the FHCGW published its audit of race and national origin discrimination in the rental insurance marketplace. This testing-based research found a 45 percent rate of discrimination against minorities in the insurance market. This rate was consistent for both African-American (45 percent) and Hispanic populations (44 percent). The most frequent disparities were in the coverage amounts offered, discounts offered and discussion of additional insurance products. As a result of this testing, the FHCGW initiated HUD complaints against Prudential Insurance and Erie Insurance, NFHA filed suit against Liberty Mutual, and both FHCGW and NFHA brought action against Travelers/Citigroup, all for redlining the District. The outcome of these actions has been that Prudential, Travelers and Erie Insurance have all since re-entered the DC marketplace (the complaint against Erie Insurance was later dropped), but only as a direct result of the testing and enforcement program.

Recommendations: The progress made in reversing insurance redlining must be nurtured. Testing and enforcement actions have proven an effective tool in combating discriminatory practices. It is recommended that the District provide for further testing and enforcement actions, either directly or through a contracting entity.

The District should also consider the adoption of measures similar to the recently-proposed Credit Opportunity Amendments Act in Congress, H.R. 190, which mandates, “Each regulated financial institution shall prepare and make available to the public at each office of such institution where deposits are accepted, a written description of the lending programs and other activities of the institution, which are designed to enhance the availability of credit in the community, including low- and moderate-income neighborhoods, served by the institution.” The increased reporting of, and access to, lending data will greatly enhance the District’s ability to combat redlining.

In addition, it is recommended that the District government use its good offices to proactively seek out insurance agencies and encourage them to enter the DC market. A thorough market research study of the untapped insurance market in the District would greatly facilitate such an effort.

5. Overburdened Office of Human Rights

The 1997 AI noted three primary impediments to the work of the OHR: the lack of substantial equivalency, a backlog in the investigative process and the lack of funding for testing. The most Important accomplishment of the OHR since the 1997 AI has been the establishment of substantial equivalency. Because of this achievement, the OHR is eligible for funding under the HIJD Fair Housing Assistance Program (PEA?). The intent of this funding is "to build a coordinated, intergovernmental enforcement effort to further fair housing and to encourage the agencies to assume a greater share of the responsibility for the administration and enforcement of their housing laws and ordinances." This approach, in light of regional fair housing planning initiatives in the metropolitan DC area, is to be applauded.

The staff size of the OHR is currently 12, up from a staff of seven at the time of the 1997 AI, but still well short of the staff of 21 in 1985. The staff has one intake officer and three investigators. These numbers remain below the optimum required for a well-functioning OHR.

Testing and private enforcement activities have been conducted in the District. As previously mentioned, the District has funded the Fair Housing Council of Greater Washington (FHCGW) in the amount of \$182,000 to perform fair housing activities, including testing. The testing programs enabled by these funds have allowed for a more complete understanding of the nature and extent of discrimination in housing issues in today's market.

Recommendations: The District government needs to allocate additional funding to provide for additional intake and investigation staff. The existing staff and any additional staff need to be further trained in fair housing issues. OHR staff members must develop the expertise to investigate the fair housing complaints referred to it from HUD, given its substantially equivalent status.

The District should continue its strong level of commitment to fair housing testing and maintain its funding for such projects. The OUR also needs to conduct a major public education and outreach effort in order to inform all District residents of their fair housing rights, as well of the existence of the OHR and its role in combating housing discrimination.

Finally, the OUR needs to develop a strategic plan for fair housing activities in the District, including proposed courses of action and expected outcomes. Such a plan would help OHR better organize its resources to conduct the above actions. OHR should also look at alternative means of funding fair housing activities such as partnering with CBOs to solicit monies from the HUD's FHAP grant process.

The District OHR is not the only fair housing institution that requires additional resources. The HUD Washington Field Office has only two investigators on its staff. In order to manage its workload, the majority of cases filed with HUD are passed on to field offices in Baltimore and Philadelphia. The traveling time between these cities and the Washington area makes it virtually impossible for agents to utilize the most important tool in investigation: the on-site visit. Investigations carried out "behind a desk" are inadequate for determining cause/no cause in discrimination complaints. The Washington office must

be provided the funding and staffing appropriate to an office in one of the largest metropolitan areas in the nation.

6. Inadequate Affordable Housing

The 1997 AI reported that “most of the District’s affordable housing, both assisted and unassisted, is located east of 16th Street, contributing to the racial and socio-economic segregation of the city.” The AI recommended that efforts to improve the supply of affordable housing should take place in a neighborhood context, focusing not just on the renovation of units but on creating viable and sustainable neighborhoods. In other words, the issue of affordable housing concerns not just the availability of housing, but also its location. The uneven distribution of affordable housing both reflects and renews the dual problems of segregation and gentrification.

a. Unassisted Affordable Housing

The District’s need for affordable housing is met by a combination of unassisted and assisted housing. Of the two types of housing, unassisted affordable housing is by far the larger amount of housing stock; the best means of addressing the lack of affordable housing is to increase the amount of unassisted affordable housing stock. According to the 1999 American Housing Survey produced by the US Census Bureau, there are 36,726 housing units available for rent in the District. Of these units, 29,100 an overwhelming 79 percent - receive no subsidy of any kind. Of these unsubsidized units, only 910 report falling under the District’s rent control provision - an astonishingly low 3 percent!

A major concern over unassisted affordable housing is the very definition of “affordable.” HUD sets a “fair market rent” amount as the basis for its rental subsidies. This number is commonly used as one of the measures for the price of affordable housing in general. In March 2000, HUD set the fair market rent in the District at \$840 per month for a two-bedroom unit. This amount can be contrasted with the Cost of Living Index data, which indicates that the average rent in Washington is currently \$1,115 a quite substantial difference of \$275 per month.

The other “rule of thumb” in determining a fair market rent is HUD’s estimation that a household should only apply 30 of their income towards rent. To meet the fair market rate of \$840/month, a household would require an income of \$33,600 or more. To meet the COLI rate of \$1,115/month, a household would require an income of \$44,600. The US Census Bureau indicates that in 1995 (the most recent year available), the median household income in the District was \$33,682. From this information, we can see that HUD’s fair market standard is directly related to the median household income in the District. Unfortunately, the true standard should be based on the *actual costs of rents* in the District. If it were to adjust to this standard, HUD would recognize that the availability of affordable housing is much lower than currently estimated.

The lack of affordable housing is a direct consequence of the increase in the costs of housing, both in the District and the entire metropolitan area. One key impact of this process is the gentrification of key neighborhoods within Washington. As rents rise in predominantly white neighborhoods, many people are forced to look elsewhere to find

affordable housing. Thus, when rents in areas like Cleveland Park or Georgetown become prohibitive, white renters have relocated to Capitol Hill, Dupont Circle and Adams-Morgan. This trend continues, more recently with the communities of U Street, Logan Circle and Mt. Pleasant becoming the “new frontiers” for white renters and homeowners, all as a result of increasing housing costs throughout the area.

The District’s commendable community and neighborhood development efforts have had the unintended consequence of speeding up the process of gentrification. The opening of the Metro Green Line station in Columbia Heights has brought important benefits to the community, but it has also brought speculation in the local real estate market. The Mayor’s efforts in March 1999 to crack down on substandard housing in Columbia Heights which primarily victimizes immigrant groups resulted in the eviction of long-time residents and their potential displacement out of their community of choice. While the immediate problem of concern to these tenants was resolved in their favor (including the transfer of two apartment buildings into tenant ownership), the larger issue remains a serious concern.

The influx of new ethnic groups into previously ethnically homogenous communities would be a positive step towards diversity in the District. Unfortunately, the influx of new groups has accompanied rent increases (often at substantial levels) in the gentrifying communities, forcing out long-term residents, mostly minorities and vulnerable groups. Instead of diversifying neighborhoods, gentrification leads to a simple re-drawing of the pre-existing lines of segregation. Consequently, the next ten years may see the 16th Street boundary shifted to 12th Street, further marginalizing the African-American community.

The concept of an affordable rent thus varies depending on the income level of different communities. For the white community, Capitol Hill is now a site of affordable housing, while the increasing costs of living remove much of the housing stock in Capitol Hill out of the range of affordability for the African-American community. Therefore, there is a direct relationship between disparities in income levels and disparities in housing choices.

Affordable housing is also a major concern for single-family households. According to an analysis performed by the Brookings Institute, “in 1997, the median household income for a married couple with children was \$51,681, for a single father \$36,634, and for a single mother \$23,040.” Furthermore, single mothers headed approximately 19 percent of all households with children in the region. Finally, 47 percent of the District’s families were single-mother families. One solution to the demand for affordable housing is the increase of the housing stock through new construction. Between 1990-1996, the District authorized 1,383 building permits for new private housing units. This figure represents only .5 percent of the total housing stock in the District, as opposed to the 11.7 percent of housing stock throughout the Washington MSA which came from new construction. The absolute numbers of new housing must be increased in the District, as well as the relative numbers of affordable new housing. Unfortunately, the majority of new housing is rented or sold at current market rates, which are above the HUD fair market standards.

New housing construction must include new affordable housing. A successful case of affordable housing construction is the recent groundbreaking for 147 new

townhouses for low- and moderate-income households, carried out by the Washington Interfaith Network. The Washington Interfaith Network, with support from Mayor Williams, has established the goal of building 1,000 affordable homes.

New construction of affordable housing must also be distributed evenly throughout the District. If affordable housing is only build east of the 16th Street divide, it will serve to perpetuate segregation in the District. The current resistance to the construction of a mid-rise apartment building in Cleveland Park demonstrates the difficulties faced in locating affordable housing in high-income neighborhoods.

Recommendations: While the importance of unassisted affordable housing is well recognized, the sheer scale of the problem is not. The District should take steps to determine the actual extent of need for affordable housing, based on the realities of the housing market and the costs of living in Washington, rather than on the HUD fair market standard, which does not reflect the realities of the housing market. The District should furthermore evaluate the needs for affordable housing of particular communities, such as African-Americans, immigrant populations and single-family households. The District should examine the linkages between the need for affordable housing and the dual process of gentrification and segregation.

The District should promote mixed-income construction, providing affordable housing for all income levels. The District should foster the public-private partnerships tat can generate new construction of affordable housing. The Washington Interfaith Network efforts are financed through \$2.5 million from the Network, \$3.7 million from the District, \$1 million from the federal government and \$500,000 in no-interest construction loans from Riggs National Bank. The District also donated land for use by WIN. This effort needs to be applauded, and held up as a standard for further efforts to provide affordable housing. The District should work to place new affordable and mixed-income housing throughout Washington, both in high-income neighborhoods and in mixed-income neighborhoods where gentrification is threatening to drive out community diversity.

The promotion and maintenance of diverse communities in the face of increasing gentrification can be supported through a testing program. The testing of transitional neighborhoods would serve both to document the incidence of discrimination and to combat it.

b. Assisted Affordable Housing

The provision of assisted affordable housing, through public housing or Section 8 programs, remains unable to meet the overwhelming need for affordable housing. The number of families on waiting lists for assisted housing continues to grow. According to HUD, between 1998 and 1999, the District had 11,317 families on the waiting list for public housing, in increase of 24 percent, and 19,279 families on the waiting list for section 8, an increase of 29 percent. The growth in families requesting assistance increases the waiting time for these services. In the District, the waiting time for access to public housing is up to five years, while the wait for Section 8 assistance is up to eight years.

In addition, the future holds the possibility of less access to Section 8 housing, not more. The increases in the market value of housing within the Washington area rewards private owners who opt out of the Section 8 program. Nationwide, almost 13,000 units were lost in 1998 alone due to opt-outs as owners quit the project-based Section 8 program in search of higher, market-rate rents. Again, HUD's fair market rate is set lower than the real prices of the District's tight housing market.

In October 2, 2000, HUD published its Federal Register [24 CFR Parts 888,982, 985] with an effective date of December 1, 2000. This publication put into effect its new Fair Market Rents: increased Fair Market Rents and Higher Payment Standards for Certain Areas notice. Included in this notice was HUD's new Housing Choice Voucher program that allows for maximum subsidy to be governed by a new "payment standard" rather than having the old certificate program where maximum subsidies were governed by FMR, applied to an entire FMR area, which can be too low or too high for the community served, as the case in the District. This new payment standard gives public housing agencies the discretion to set voucher payment standard anywhere from 90 to 110 percent of the published FMR for the designated unit size. This gives public housing agencies greater flexibility to set voucher rates in concurrence with local market conditions.

Recommendations: It must be noted that HUD determines the fair market rent level on a metropolitan-wide basis, including jurisdictions as far away as Stafford and Fauquier counties in its calculations. Local jurisdictions are able to apply to HUD for an exception to fair market rent for certain more expensive neighborhoods or even on a jurisdiction-wide basis. The City of Rockville has recently completed this process, obtaining exception rents for parts of its jurisdiction. The District should follow the example of Rockville and apply for two fair market rate adjustments: one based on the costs of living within Washington as a whole, and another for the more expensive neighborhoods east of 16th Street. The latter measure, if approved, would provide access for African-American and other vulnerable groups to neighborhoods, which remain predominantly white.

The District should also work to maintain its rolls of landlords who accept Section 8 vouchers, and recruit new landlords into the program. Such an effort may be more effective in neighborhoods that remain poverty-stricken, where the HUD rates are closer to free market rates. The District should encourage recruitment in these areas in order to provide for assisted housing to more families, but it must also work to open up access to areas of Washington that are middle-and high-income as well. The District's fair housing laws provide for protection based on source of income; the District should utilize testing to determine if Section 8 certificate and voucher holders face discrimination on this basis.

7. Inadequate Housing Services for Immigrant Populations

Immigrant populations in the District continue to be affected by the lack of affordable housing and affordable housing programs. A major reason is that they have not been in the system for the same length of time as other recipients of social services and housing aids (due in part to citizenship or permanent US residency requirements.) Also, the lack of bilingual materials and personnel to adequately service immigrant communities, such as Latinos, Asians, Africans and Indians is a hindrance. These communities, which are

linguistically, socially and politically isolated, are especially vulnerable to unscrupulous landlords, who continue to violate District statutes by providing grossly substandard housing. A particular striking case revolving around substandard housing in Columbia Heights was discussed in the previous section on affordable housing.

Two of the most prominent immigrant communities in the District are the Hispanic and Asian communities. According to the 1990 US Census, Hispanics make up 6.9 percent of the District population, and Asians make up 3 percent. The District's Hispanic community continues to be composed of many low-income households with low rates of homeownership.

Recommendations: The District should continue to make efforts to provide housing opportunities to its substantial immigrant community. Increased participation in public and assisted housing programs by Latino and Asian/Pacific Islander households is one way of assisting this community and helping to integrate public and assisted housing complexes at least among different minority households. The continued use of testing for national origin status is another important method. The District should also direct its fair housing initiatives towards public education and outreach efforts aimed at isolated and vulnerable immigrant groups. The provision of bilingual services is essential to such an effort.

8. Disparate Impact of Environmental Hazards

a. Lead-based Paint

Lead-based paint, and its potential for lead poisoning, remains a serious problem in the District. The use of lead-based paint was banned in 1978, however 95 percent of the District's housing stock was built before 1978. Additionally, 56 percent of the District's housing stock was built before 1950. Currently, the District provides for free testing of a house or apartment if any children under the age of six reside there. While the District's Lead Poisoning Prevention Division does not pay for the removal of lead-based paint, it does offer a grant program that gives property owners up to \$18,000 for this task. Currently, the District does not require the mandatory removal of lead-based paint by landlords, provided that all painted surfaces remain intact and in good condition (no chipping, peeling or flaking paint, or friction surfaces with lead paint).

The legislation introduced in June 2000 by Mayor Williams represents a pro-active attempt to address the issues of lead poisoning. The bill, which would apply to residential rental properties, foster care homes, childcare facilities and schools built before 1978, would require property owners to perform comprehensive annual visual inspections of all painted surfaces. If paint is deteriorating, the owner must stabilize the paint and provide for dust and soil lead tests after such work is completed. Additionally, the bill would require lead-hazard reduction measures when a tenant moves into an apartment. It would create a fund to finance lead-hazard control activities and pay for temporary housing for families of poisoned children, and a 15-member commission to study the law's impact.

Whether this particular law, or some revised version is ultimately passed, the District should mandate funds for the investigation and inspection of multi-family units with lead paint, to ascertain whether the paint is in good condition, or whether mitigation efforts are required. The District should follow the example set by HUD and utilize

information on homes where children have been poisoned to take legal actions against landlords who have violated lead-paint disclosure laws. The District also should continue its efforts to inform both tenants and landlords of the dangers of lead poisoning and the services provided by the District.

b. Brownfields

The District Council and Mayor Williams have recently take strong action to promote the cleanup and development of Washington's Brownfields. Brownfields are industrial and commercial sites that are abandoned or underused because of real or perceived contamination. Brownfields are potentially valuable community resources whose redevelopment can bring important benefits in economically depressed communities. Since the District was never a center for heavy industry, it fortunately does not contain any of the severely contaminated sites registered under the 1980 federal Superfund law. Instead, District Brownfields are "mildly" contaminated by commercial pollutants and chemical spills from light industry use, including hazards such as lead, arsenic and perchloroethylene (perc), a dry-cleaning solvent that may cause liver, kidney and central nervous system damage.

The District Council passed a bill on Dec. 5 to set up a voluntary cleanup program for Brownfields. The bill authorizes the mayor to propose property and business-income tax credits of up to 100 percent of cleanup costs and 25 percent of redevelopment costs, and to defer or forgive other fees and costs, including delinquent property taxes. It also authorizes the creation of tax-exempt Environmental Savings Accounts to accumulate cleanup and redevelopment funds, and of a Clean Land Fund to award grants and low-interest loans for environmental assessment, cleanup and redevelopment.

The District has taken several bold steps to clean up and develop abandoned Brownfields. Among current efforts are: a 14.5-acre city vehicle-impoundment lot on Brentwood Road NE, the expected site of commercial retailers; a 7-acre site at New York and Florida Avenues NE, the planned headquarters of the US Bureau of Alcohol, Tobacco and Firearms; the 55-acre Southeast Federal Center, which may potentially be used as a site for the US Dept. of Transportation; and Poplar Point, a tract along the Anacostia waterfront owned mostly by the federal government and contaminated by past pesticide use at the former greenhouses of the Architect of the Capitol.

c. Environmental Racism

An area of increasing concern among minority and vulnerable communities is environmental racism, the notion that the environmental impact of a variety of public and private facilities has a disproportionate effect on these groups. Often, industrial sites, which are a leading source of pollution, are located in minority or economically disadvantaged communities. The response to environmental racism is a call to locate potentially polluting sites equally across the District and to take equal measures to mitigate against harmful results.

According to a report by the Clean Air Task Force, 1,140 Washington area residents die prematurely each year due to long-term exposure to soot emitted by power plant smokestacks. the greater Washington has eight plants that burn coal, oil or natural

gas five in Maryland, two in Virginia and one in the District. Most of the plants burn coal, which generates the most soot. Throughout the nation, plants such as these are closest to low-income areas, which receive the greatest amount of exposure.

Similarly, facilities for transferring municipal solid waste, construction and demolition debris from packer trucks to long-haul tractor-trailers, commonly called trash transfer stations, deserve scrutiny for their potential health and quality of life implications; particularly in Washington, D.C., where distribution of zoning certifications is questionable. As a result many trash transfer stations are located immediately adjacent to low-income homes, businesses, schools and churches.

Concerns over airborne emissions, persistent odors, diesel truck traffic, and other hazards, have led to sustained and vocal opposition to the improper siting and lax regulations of all ten existing transfer stations in the District of Columbia. Despite the year-long efforts of a blue-ribbon panel created to address these injustices, strong opposition has likewise been made to the recommendation of the panel to locate new and enlarged city run facilities in Wards 7 and 8, because environmental justice considerations were not critically analyzed.

It must be recognized that environmental racism may be more a result of "disparate impact" rather than "direct intent", although this does not excuse the practice. The communities west of 16th Street are more affluent, and thus possess more economic and political advantages, than neighborhoods to the east. Thus, these communities have been better able to resist controversial projects. The proposed telecommunications tower in the Tenleytown neighborhood has met with strong and organized resistance. If the proposal is denied, then it is possible that the tower will be relocated to a neighborhood that is less able to represent its concerns before the District government.

Recommendations: The District should perform a full environmental impact assessment for each proposed project, including the aforementioned trash transfer stations and telecommunications tower, to investigate the environmental risks to surrounding communities. In addition, the District should mandate a social impact assessment for such projects as well, with particular focus on concerns over environmental racism and compliance with the Fair Housing Act. The District must also work to combat unwarranted fears about environmental hazards that lead to the NIMBY syndrome and perpetuate the unequal distribution of exposure to environmental risks.

9. Insufficient Allocation of CDBG Monies

The 1997 AI advised that "although the competing demands for limited dollars is increasing, given the large minority population in the District and the lack of racially integrated neighborhoods, the District should reassess its support and funding for fair housing activities". The DHCD responded immediately to this challenge, providing for \$182,000 between 1998 and 2000 to the FHCGW to perform fair housing activities, including education, outreach and testing. The 1997 AI additionally recommended initiatives to "identify public/private partnerships to achieve fair housing goals. One leading public/private initiative is the Fair Housing Partnership™ program of the FHCGW, that has brought local real estate firms such as Long and Foster Realtors, Weichert Realty, W.C &

A.N. Miller Realtors, Avery-Hess Realtors and Pardoe-Pardoe Graham Real Estate into the effort to eradicate housing discrimination through self testing and fair housing training of their realtors and real estate agents.

Recommendation: The DHCD needs to remain firm in its commitment to affirmatively furthering fair housing, and should annually dedicate CDBG monies towards this effort. The DHCD needs to dramatically increase its level of funding for testing programs; unfortunately, an average of \$50,000 annually is grossly insufficient to meet the testing needs in the District. The DHCD could benefit from inquiries into complementary funding sources to assist in funding fair housing activities. The DHCD should also lead the way in seeking out public-private initiatives to achieve fair housing goals.

10. Implementation of Zoning and Housing Codes

The 1997 AI recommended a comprehensive series of measures to ensure equal protection for the rights of disabled persons. The report advised that “the District should eliminate its radius restrictions but should conduct an in-depth study of where facilities are currently located and try to work with nonprofit providers to identify sites in neighborhoods with few or no facilities. The District should not impose a moratorium on the development of group homes. The District should reform its zoning process to ensure that housing for persons with disabilities are treated in the same way as housing for non-disabled persons.

Restrictions on group homes fall under the aegis of the Fair Housing Act. The courts have upheld the rights of the disabled and others, and have led the way for reforms of local zoning ordinances. The District has made good faith efforts to meet its legal requirements and has rewritten its zoning provisions to place them in compliance with the Fair Housing Act.

Recommendations: The underlying cause of conflict between group homes, existing and proposed, and local communities is the “not-in-my-backyard” (NIMBY) syndrome, which in itself is the result of stereotyped notions and misplaced fears. The District should take steps to undermine these root causes through a comprehensive public education and outreach effort. The proper time to address these concerns is not when a proposed facility faces public hearings, but long before a crisis, when two-way communication and mutual understanding is still a possibility.

Educational efforts to combat the NIMBY syndrome are part and parcel of a more comprehensive program to support facilities for disabled persons. The District should make every effort to assist new and future facilities that wish to open in Washington, providing for technical guidance, assistance with site selection and maintaining a supportive environment.

10.D.6. Conclusion and Recommendations

A discussion of this Impediments Analysis would be best served by beginning from the conclusions of the 1997 AI. Three years ago, it was noted that the Washington metropolitan region is one of the wealthiest metropolitan areas in the nation. However, not all of its citizens have benefited from the region’s economic growth. Many of the region’s minority households are poor and most of them are concentrated in distinct neighborhoods, some of which do not

enjoy good housing conditions or access to jobs and transportation. The goal of the impediments analysis is to open new doors for its residents, allowing them to choose from a variety of housing opportunities by eliminating intended and unintended barriers to fair housing choice. These sentiments are held just as strongly now as when they were first voiced.

Since the publication of the 1997 AI, the District has taken great strides to improve equal access to housing opportunities. The District has achieved substantial equivalency with HIJD, and is now able to receive fair housing complaints referred to it from HUD.

The District has responded to the call from the 1997 AI for updated and thorough testing of discrimination in Washington. The use of testing, both by public and private institutions, within the District and in the metro area, has proven invaluable in detecting the actual incidence of discrimination in many aspects of housing: rental housing, housing sales, mortgage practices and insurance practices. Testing-based investigations also enable local jurisdictions to pursue enforcement actions, not only to punish egregious offenders, but also to spur violators to correct their mistakes and take action to affirmatively further fair housing.

The District has also undertaken new and innovative approaches to address a variety of concerns. Among these exciting initiatives are: the revisions of the District's foreclosure laws to help combat predatory lending; the efforts to clean up and redevelop Brownfields as viable commercial and residential sites; the completion of the Metrorail's Green Line, centered on previously under-served communities in NE and SE Washington; and the developing of new affordable housing for low- and middle-income families. The District should be proud of these efforts, which place the District at the vanguard of efforts to affirmatively further fair housing.

1. General Recommendations

In addition to the recommendations made in regard to specific fair housing issues, there are two general recommendations that the District should consider:

- The District government should strongly consider the development of a major initiative to celebrate diversity in Washington. Modeled on the successful program in Oak Park, Illinois, this program would involve both the public and private sector, including community groups, local media, realtors, the chamber of commerce, the school board, the Ward representatives and others, with the goal of the program would be to highlight the District's diversity, making it a "selling point" in favor of locating new businesses and residences in Washington. The proposed program is would be modeled on the successful initiatives in Oak Park Illinois: Oak Park's 1968 Open Housing Ordinance, which was a statement in support of integrated housing, and its 1973 policy statement, "Maintaining Diversity in Oak Park" that stated in part, "The people of Oak Park have chosen this community, not so much as a place to live, but as a way of life. A key ingredient is the diversity of these same people as broad representation of various occupations, professions, ages and income levels. Such diversity is Oak Park's strength."
- The DHCD staff should undergo comprehensive Fair Housing training. This *training* should be extended to the subcontracting agencies of the DHCD as well. The training would focus both on fair housing rights, but also on how the DHCD staff and contractors can serve to promote fair housing. Additionally, subcontractors should be

required to sign a clause in their contracts that would mandate the referral of potential fair housing complaints or concerns to the OHR or local civil rights agencies.

2. Rental and Sales Discrimination

- The District must begin to provide for an enforcement-based testing program.
- The District should expand its fair housing enforcement efforts and assist the work of local fair housing agencies.
- The District should assume the lead role in conducting education and outreach in Washington to inform citizens of their rights and options when faced with housing discrimination.

3. Disability Discrimination

- The District must take a stance of “zero tolerance” towards violations in new construction.
- The District should guide efforts to inform condominium and cooperative boards of their fair housing obligations through training sessions, policy manuals and informational brochures.
- The District should provide for testing and testing-based enforcement against all violations of the protections for people with mental and physical disabilities.

4. Predatory Lending

- The District can and should take pro-active steps to prevent predatory practices before they occur.
- The District should investigate ways to document predatory practices other than by reliance purely on HMDA data, such as mandating routine audits of lenders operating in Washington.
- The DC government should outline and maintain a list of strict standards, based on *federal* regulatory guidance, by which lenders can petition for an exception to the *foreclosure law*. The petition *process* needs to be transparent *as well*.
- The DC government should consider a review of the lending practices of Fannie Mae and Freddie Mac to determine if their blanket exemption is warranted, and must be willing to remove this exemption if their findings determine otherwise.

5. Dual Lending Market

- The District must take steps to educate its citizens about the nature of sub-prime lending, as well as all their options for financing, especially options for prime loans.
- The District should test lenders, and to engage in enforcement actions based on testing, to put an end to red-lining in Washington.

6. Credit Scoring

- The District should continue its efforts to protect credit-seekers through legislation that re-affirms the primacy of equal housing opportunity concerns over all elements of the lending process.
- The District needs to investigate the role of credit scoring in the lending market in order to determine if: a) the credit scores are based on biased or unbiased standards, including protected categories, and b) that the use of credit scoring does or does not have a disparate impact on minority populations.

7. Insurance Discrimination

- It is recommended that the District provide for further testing and enforcement actions, either directly or through a contracting entity.
- The District should also consider the adoption of measures similar to the recently proposed Credit Opportunity Amendments Act in Congress, I-LR. 190, which mandates increased reporting of, and access to lending data.
- The District government should use its good offices to pro-actively seek out insurance agencies and encourage them to enter the DC market.

8. Office of Human Rights

- The OHR needs to develop a strategic plan for fair housing activities in the District, including proposed courses of action and expected outcomes.
- The District government needs to allocate additional funding to provide for additional intake and investigation staff, and for full training in fair housing issues.
- The District should strengthen its commitment to fair housing testing and dedicate sufficient finding for such projects.
- The OHR also needs to conduct a major public education and outreach effort in order to inform District citizens of their fair housing rights, as well of the existence of the OHR and its role in combating housing discrimination.

9. Unassisted Affordable Housing

- The District should take steps to determine the actual extent of need for affordable housing, based on the realities of the housing market and the costs of living in Washington, rather than on the HUD fair market standard, which is not reflective.
- The District should evaluate the needs for affordable housing of particular communities, such as African-Americans, immigrant populations and single-family households.
- The District should promote mixed-income construction, providing affordable housing for all income levels. The District should foster the public-private partnerships that can generate new construction of affordable housing.
- The District should work to place new affordable and mixed-income housing throughout Washington, both in high-income neighborhoods and in mixed-income neighborhoods where gentrification is threatening to drive out community diversity.
- The testing of transitional neighborhoods would serve both to document the incidence of discrimination and to combat it.

10. Assisted Affordable Housing

- The District should follow the example of Rockville and apply to HTJD for two *fair* market rate adjustments: one based on the costs of living within Washington as a whole, and another for the more expensive neighborhoods east of 16th Street.
- The District should also work to maintain its rolls of landlords who accept Section 8 vouchers, and recruit new landlords into the program.
- The District should utilize testing to determine if Section 8 certificate and voucher holders face discrimination on the basis of source of income.

11. Immigrant Populations

- Increased participation in public and assisted housing programs by Hispanic and Asian/Pacific Islander households is one way of assisting these communities and helping to integrate public and assisted housing complexes
- Testing and testing-based enforcement of national origin status remains an important method to protect vulnerable populations.
- The District should also direct its fair housing initiatives towards public education and outreach efforts aimed at isolated and vulnerable immigrant groups. The provision of bilingual services is essential to such an effort.

12. Lead-based Paint

- The District should mandate funds for the investigation and inspection of multi-family units with lead paint, to ascertain whether the paint is in good condition, or whether mitigation efforts are required.
- The District should follow the example set by MUD and utilize information on homes where children have been poisoned to take legal actions against landlords who have violated lead-paint disclosure laws.
- The District also should continue its efforts to inform both tenants and landlords of the dangers of lead poisoning and the services provided by the District.

13. Environmental Racism

- The District should perform a full environmental impact assessment for all proposed projects, to investigate the environmental risks to surrounding communities. In addition, the District should mandate a social impact assessment for such projects as well, with particular focus on concerns over environmental racism and compliance with the Fair Housing Act.
- The District must also work to combat unwarranted fears about environmental hazards that lead to the NIMBY syndrome and perpetuate the unequal distribution of exposure to environmental risks.

14. CDBG Allocations for Fair Housing

- The DHCD needs to substantially increase its level of funding for the testing programs, which are essential to combating discrimination.
- The DHCD could benefit from inquiries into complementary funding sources to assist in funding fair housing activities. The DHCD should also lead the way in seeking out public-private initiatives to achieve fair housing goals.

15. Zoning and Housing Codes

- The District should take steps to combat misplaced fears and the NIMBY syndrome before proposed projects create a crisis. A comprehensive public education and outreach effort is essential to this task.
- The District should make every effort to assist new and future facilities that wish to open in Washington, providing for technical guidance, assistance with site selection and maintaining a supportive environment.